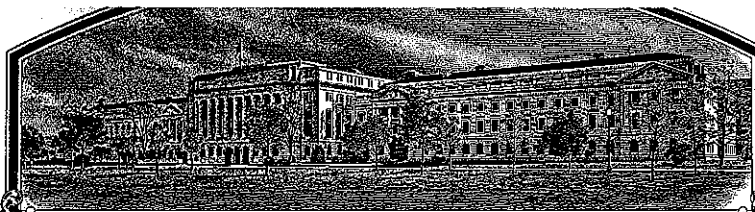


No.



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**West Bred, LLC**

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE FOREGOING PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

WHEAT, COMMON

'WB-528'

*In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this ninth day of March, in the year two thousand and seven.*

*Attest:*

*Bill Zeigler*

Commissioner  
Plant Variety Protection Office  
Agricultural Marketing Service

*M. Neenan*

Secretary

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE  
(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF OWNER WestBred, LLC		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME BZ 6W98-528		3. VARIETY NAME WB-528	
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) 81 Timberline Drive Bozeman, MT 59718 USA		5. TELEPHONE (include area code) 406-587-1218		FOR OFFICIAL USE ONLY PVPO NUMBER 200600273 FILING DATE August 22, 2006	
		6. FAX (include area code) 406-586-8247			
7. IF THE OWNER NAMED IS NOT A "PERSON". GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) Limited Liability Company		8. IF INCORPORATED, GIVE STATE OF INCORPORATION Arizona		9. DATE OF INCORPORATION August 4, 2003	
10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers) Dr. Dale R. Clark 81 Timberline Drive Bozeman, MT 59718				F E E S R E C E I V E D FILING AND EXAMINATION FEES: \$ 4382.00 DATE 8/22/2006 CERTIFICATION FEE: \$ 768.00 DATE 02/09/2007	
11. TELEPHONE (Include area code) 406-587-1218		12. FAX (Include area code) 406-586-8247		13. E-MAIL dclark@westbred.com	
14. CROP KIND (Common Name) wheat		16. FAMILY NAME (Botanical) Poaceae		18. DOES THE VARIETY CONTAIN ANY TRANSGENES? (OPTIONAL) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF SO, PLEASE GIVE THE ASSIGNED USDA-APHIS REFERENCE NUMBER FOR THE APPROVED PETITION TO DEREGULATE THE GENETICALLY MODIFIED PLANT FOR COMMERCIALIZATION.	
15. GENUS AND SPECIES NAME OF CROP Triticum aestivum		17. IS THE VARIETY A FIRST GENERATION HYBRID? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act) <input type="checkbox"/> YES (If "yes", answer items 21 and 22 below) <input checked="" type="checkbox"/> NO (If "no", go to item 23)	
19. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse) a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of Variety d. <input type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional) e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership f. <input checked="" type="checkbox"/> Exhibit F. Declaration Regarding Deposit g. <input checked="" type="checkbox"/> Voucher Sample (3,000 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository) g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$4,382), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)				21. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, WHICH CLASSES? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED	
23. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Sept. 10, 2005 USA IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)				22. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, SPECIFY THE NUMBER 1,2,3, etc. FOR EACH CLASS. <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED (If additional explanation is necessary, please use the space indicated on the reverse.)	
25. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate. The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act. Owner(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.				24. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, PLEASE GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)	
SIGNATURE OF OWNER Dale R. Clark for WestBred, LLC		SIGNATURE OF OWNER DR Biggersstaff			
NAME (Please print or type) Dale R. Clark		NAME (Please print or type) Dan R. Biggersstaff			
CAPACITY OR TITLE Director of Research		DATE Aug 21, 2006		CAPACITY OR TITLE VP Research	
				DATE August 21, 2006	

(See reverse for instructions and information collection burden statements)

# **“WB-528”**

Soft White Winter Wheat

200600273

## **19.a. Exhibit A. Origin and Breeding History**

“WB-528” (exp. # BZ 6W98-528) is a soft white winter wheat that originated from the cross of “WestBred 470 x Madsen”, made by WestBred, LLC near Bozeman, MT in 1995. The F1 plants were planted near Phoenix, AZ in Nov. 1995, and the F2 seed harvested in May 1996. F2 seed was planted in Oct. 1996 near Burley, ID. Heads were harvested from individual F2 plants and the F3 seed planted as individual rows in the fall of 1998 near Bozeman, MT. The F3 rows were observed for over all agronomic appearance (plant height, lodging resistance and shatter resistance). Agronomically desirable rows were harvested individually, weighed and the grain tested for cookie/cracker/cake quality by measuring test weight, % protein, and SDS sedimentation. Seed from one such row was selected to be advanced and was given the experimental number “BZ 6W98-528”. Yield trials, along with quality analysis for soft white wheat, were conducted on the F4 thru F11 generations in WestBred, LLC’s Pacific Northwest winter wheat trials. F8-F11 generation seed was tested in Washington, Idaho, and Oregon public trial from 2003 to present. Table 1 provides agronomic performance from several location. WB-528 was tested for quality by the Pacific Northwest Wheat Quality Council in 2004 and found to be acceptable for the soft white wheat market class (Table 2 provides quality data from the USDA/ARS Western Wheat Quality Lab). Individual heads were harvested from the F5 plots and planted as head rows near Bozeman, MT in the fall of 2000. Eight head rows were harvested in September 2001 and planted individually in the fall of 2001 near Bozeman, MT. Uniform plots were harvested in Aug of 2002, bulked, and planted in October, 2003 near Burley, ID. This seed was harvested in August, 2003 and designated Breeder’s seed. The Breeder’s seed was planted on approximately 40 acres near Quincy, WA in October 2003. Production from this field was harvested in August, 2004 as ‘Foundation’ and ‘Registered’ seed. At that time, the name “WB-528” was chosen for the variety. ‘Registered’ seed was planted in the fall of 2004 and seed from these fields were harvested in August, 2005 as ‘Certified’ seed. The first unencumbered sale of “WB-528” occurred September 10, 2005.



WestBred, LLC, 81 Timberline Dr., Bozeman, MT 59718

**“WB-528”**  
Soft White Winter Wheat

200600273

A tall variant that is 1-2 heads taller may occur at a frequency of up to 15 plants per 10,000 plants. Also, a red seed variant may occur at a frequency of up to 12 seed per 10,000 seed. Otherwise, no other variants are known to occur and “WB-528” is a stable and uniform variety in appearance and performance over several generations and growing conditions.

**19.b. Exhibit B. Statement of Distinctness**

WB-528 is most similar to the variety WestBred 470. However, the glume shoulders of WB-528 are oblique, whereas the glume shoulders of WestBred 470 are square. Also, the milling and baking quality scores of WB-528 are significantly improved over those of WestBred 470 (Table 2)

The above comparison, along with the complete Objective Description (Exhibit C) shows WB-528 to be a novel variety of soft white winter wheat.

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Table 1. Agronomic Characteristics of WB-528 compared to check varieties in Washington State Univ. Trials from 2003 to 2005 (57 locations).

<b>VARIETY NAME</b>	<b>YIELD BU/A</b>	<b>TEST WT</b>	<b>% PROTEIN</b>	<b>PLANT HT</b>	<b>HEAD DATE</b>	<b>LODGE %</b>
<b>WB-528</b>	<b>104.9</b>	<b>61.0</b>	<b>10.5</b>	<b>35.1</b>	<b>6/1</b>	<b>0</b>
CASHUP	103.1	59.7	10.0	33.7	6/5	4
ELTAN	101.5	59.0	10.0	36.8	6/6	38
FINCH	107.5	60.4	10.0	36.5	6/6	9
LAMBERT	104.3	59.1	10.3	37.9	6/1	6
MADSEN	104.0	59.3	10.6	35.3	6/5	0
MOHLER	106.4	59.4	10.2	36.8	6/2	26
STEPHENS	104.6	59.2	10.6	34.6	6/1	9
TUBBS	114.1	58.4	10.0	37.8	6/3	1



**“WB-528”**  
Soft White Winter Wheat

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Table 2. Quality analysis (*t*-scores) of WB-528 compared to currently grown varieties of soft white winter in Washington State University Trials. Analysis performed by USDA/ARS Western Wheat Quality Lab in Pullman, WA. (2003 - 2005 samples)

t values

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<u>VAR</u>	<u>OVERALL</u>	<u>GRAIN</u>	<u>MILLING</u>	<u>BAKING</u>
FINCH	1.47	2.86	-0.69	2.91
CASHUP	1.01	1.08	-1.43	2.95
<b>WB-528</b>	<b>0.38</b>	<b>1.10</b>	<b>-0.83</b>	<b>1.21</b>
ELTAN	0.37	1.62	-0.51	0.83
MOHLER	0.09	2.21	-0.71	0.31
STEPHENS	0.00	0.00	0.00	0.00
LAMBERT	-0.16	-0.20	2.80	-2.52
TUBBS	-1.79	1.99	-1.64	-2.66
MADSEN	-1.96	-2.42	-0.69	-2.89
WB470	-3.60	-1.73	-3.82	-3.79

Note: Student's *t* is calculated for each variety compared to the check variety 'Stephens'. Positive values of *t* indicate the test variety has a value greater than the check and negative values indicate that the test variety value is less than the check.

WB-528 was compared with Stephens in 36 location/years of samples. **A difference of 2 is significant.**



According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 2.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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**U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY  
PLANT VARIETY PROTECTION OFFICE  
BELTSVILLE, MD 20705**

Exhibit C

**OBJECTIVE DESCRIPTION OF VARIETY  
Wheat (*Triticum* spp.)**

NAME OF APPLICANT (S) <b>WestBred, LLC</b>	TEMPORARY OR EXPERIMENTAL DESIGNATION <b>BZ 6W98-528</b>	VARIETY NAME <b>WB-528</b>
ADDRESS (Street and No. or RD No., City, State, Zip Code and Country) <b>81 Timberline Dr. Bozeman, MT 59718</b>		FOR OFFICIAL USE ONLY  PVPO NUMBER <b>200600273</b>

**PLEASE READ ALL INSTRUCTIONS CAREFULLY:**

Place the appropriate number that describes the varietal character of this variety in the boxes below. Place a zero in the first box (e.g.    or   ) when number is either 99 or less or 9 or less respectively. Data for quantitative plant characters should be based on a minimum of 100 plants. Comparative data should be determined from varieties entered in the same trial. Royal Horticultural Society or any recognized color standard may be used to determine plant colors; designate system used: \_\_\_\_\_ . Please answer all questions for your variety; lack of response may delay progress of your application.

<p><b>1. KIND:</b></p> <p><input type="text" value="1"/> 1 = Common  <input type="text" value="2"/> 2 = Durum  <input type="text" value="3"/> 3 = Club  <input type="text" value="4"/> 4 = Other (Specify) _____</p>	<p><b>2. VERNALIZATION:</b></p> <p><input type="text" value="2"/> 1 = Spring  <input type="text" value="2"/> 2 = Winter  <input type="text" value="3"/> 3 = Other (Specify) _____</p>
<p><b>3. COLEOPTILE ANTHOCYANIN:</b></p> <p><input type="text" value="1"/> 1 = Absent                      2 = Present</p>	<p><b>4. JUVENILE PLANT GROWTH:</b></p> <p><input type="text" value="1"/> 1 = Prostrate              2 = Semi-Erect              3 = Erect</p>
<p><b>5. PLANT COLOR: (boot stage)</b></p> <p><input type="text" value="3"/> 1 = Yellow-Green  <input type="text" value="2"/> 2 = Green  <input type="text" value="3"/> 3 = Blue-Green</p>	<p><b>6. FLAG LEAF: (boot stage)</b></p> <p><input type="text" value="2"/> 1 = Erect                      2 = Recurved  <input type="text" value="2"/> 1 = Not Twisted              2 = Twisted  <input type="text" value="2"/> 1 = Wax Absent              2 = Wax Present</p>
<p><b>7. EAR EMERGENCE:</b></p> <p><input type="text" value="1"/> <input type="text" value="5"/> <input type="text" value="2"/> Number of Days (Average)</p> <p><input type="text" value="0"/> <input type="text" value="1"/> Number of Days Earlier Than * <u>Mohler</u></p> <p>Same As * <u>Stephens</u></p> <p><input type="text" value="0"/> <input type="text" value="3"/> Number of Days Later Than * <u>WestBred 470</u></p> <p align="center"><i>*Relative to a PVPO-Approved Commercial Variety Grown in the Same Trial</i></p>	
<p><b>8. ANTHOR COLOR:</b></p> <p><input type="text" value="1"/> 1 = Yellow              2 = Purple</p>	

5

## 9. PLANT HEIGHT: (from soil to top of head, excluding awns)

089

cm (Average)

04

cm Taller Than

Cash up

Same As

~~Stephens~~ West Bred 470

04

cm Shorter Than

Mohler

200600273

## 10. STEM:

## A. ANTHOCYANIN

1

1 = Absent 2 = Present

## B. WAXY BLOOM

2

1 = Absent 2 = Present

## C. HAIRINESS (last internode of rachis)

2

1 = Absent 2 = Present

## D. INTERNODE

1

1 = Hollow 2 = Semi-Solid 3 = Solid

4

Number of Nodes

## E. PEDUNCLE

1

1 = Erect 2 = Recurved 3 = Semi-Erect

27

cm Length

## F. AURICLE

1

Anthocyanin: 1 = Absent 2 = Present

1

Hair: 1 = Absent 2 = Present

## 11. HEAD: (At Maturity)

## A. DENSITY

2

1 = Lax  
2 = Middense (Laxidense)  
3 = Dense

## B. SHAPE

2

1 = Tapering  
2 = Strap  
3 = Clavate  
4 = Other (Specify) \_\_\_\_\_

## C. CURVATURE

2

1 = Erect  
2 = Inclined  
3 = Recurved

## D. AWNEDNESS

4

1 = Awnless  
2 = Apically Awnletted  
3 = Awnletted  
4 = Awned

## 12. GLUMES: (At Maturity)

## A. COLOR

1

1 = White  
2 = Tan  
3 = Other (Specify) \_\_\_\_\_

## B. SHOULDER

2

1 = Wanting 2 = Oblique  
3 = Rounded 4 = Square  
5 = Elevated 6 = Apiculate  
7 = Other (Specify) \_\_\_\_\_

## C. SHOULDER WIDTH

1

1 = Narrow  
2 = Medium  
3 = Wide

## D. BEAK

3

1 = Obtuse  
2 = Acute  
3 = Acuminate

## E. BEAK WIDTH

2

1 = Narrow  
2 = Medium  
3 = Wide

## F. GLUME LENGTH

3

1 = Short (ca. 7 mm)  
2 = Medium (ca. 8 mm)  
3 = Long (ca. 9 mm)

## G. WIDTH

3

1 = Narrow (ca. 3 mm)  
2 = Medium (ca. 3.5 mm)  
3 = Wide (ca. 4 mm)

## H. PUBESCENCE

1

1 = Not Present  
2 = Present

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13. SEED:

A. SHAPE

- 3 1 = Ovate
- 2 = Oval
- 3 = Elliptical

B. CHEEK

- 1 1 = Rounded
- 2 = Angular

C. BRUSH

- 2 1 = Short
  - 2 = Medium
  - 3 = Long
- 1 1 = Not Collared
  - 2 = Collared

D. CREASE

- 2 1 = Width 60% or less of Kernel
  - 2 = Width 80% or less of Kernel
  - 3 = Width Nearly as Wide as Kernel
- 2 1 = Depth 20% or less of Kernel
  - 2 = Depth 35% or less of Kernel
  - 3 = Depth 50% or less of Kernel

E. COLOR

- 1 1 = White
- 2 = Amber
- 3 = Red
- 4 = Other (Specify) \_\_\_\_\_

F. TEXTURE

- 2 1 = Hard
- 2 = Soft
- 3 = Other (Specify) \_\_\_\_\_

G. PHENOL REACTION (See Instructions)

- 4 1 = Ivory
- 2 = Fawn
- 3 = Light Brown
- 4 = Dark Brown
- 5 = Black

H. SEED WEIGHT

- 44 g/1000 Seed (whole number only)

I. GERM SIZE

- 2 1 = Small
- 2 = Midsize
- 3 = Large

14. DISEASE: PLEASE INDICATE THE SPECIFIC RACE OR STRAIN TESTED

(0 = Not Tested 1 = Susceptible 2 = Resistant 3 = Intermediate 4 = Tolerant)

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> 0 Stem Rust ( <i>Puccinia graminis</i> f. sp. <i>tritici</i> ) | <input checked="" type="checkbox"/> 3 Leaf Rust ( <i>Puccinia recondita</i> f. sp. <i>tritici</i> )           |
| <input checked="" type="checkbox"/> 3 Stripe Rust ( <i>Puccinia striiformis</i> )                  | <input type="checkbox"/> 0 Loose Smut ( <i>Ustilago tritici</i> )   |
| <input type="checkbox"/> 0 Tan Spot ( <i>Pyrenophora tritici-repentis</i> )                        | <input type="checkbox"/> 0 Flag Smut ( <i>Urocystis agropyri</i> )  |
| <input type="checkbox"/> 0 Halo Spot ( <i>Selenophoma donacis</i> )                                | <input type="checkbox"/> 0 Common Bunt ( <i>Tilletia tritici</i> or <i>T. laevis</i> )                        |
| <input type="checkbox"/> 0 <i>Septoria nodorum</i> (Glume Blotch)                                  | <input type="checkbox"/> 0 Dwarf Bunt ( <i>Tilletia controversa</i> )   |
| <input type="checkbox"/> 0 <i>Septoria avenae</i> (Speckled Leaf Disease)                          | <input type="checkbox"/> 0 Kamal Bunt ( <i>Tilletia indica</i> )  |
| <input type="checkbox"/> 0 <i>Septoria tritici</i> (Speckled Leaf Blotch)                          | <input checked="" type="checkbox"/> 1 Powdery Mildew ( <i>Erysiphe graminis</i> f. sp. <i>tritici</i> )       |
| <input type="checkbox"/> 0 Scab ( <i>Fusarium</i> spp.)  | <input checked="" type="checkbox"/> 3 "Snow Molds"  |
| <input checked="" type="checkbox"/> 3 "Black Point" (Kernel Smudge)                                | <input type="checkbox"/> 0 Common Root Rot ( <i>Fusarium</i> , <i>Cochliobolus</i> and <i>Bipolaris</i> spp.) |
| <input type="checkbox"/> 0 Barley Yellow Dwarf Virus (BYDV)  | <input type="checkbox"/> 0 Rhizoctonia Root Rot ( <i>Rhizoctonia solani</i> )                                 |
| <input type="checkbox"/> 0 Soilborne Mosaic Virus (SBMV)   | <input type="checkbox"/> 0 Black Chaff ( <i>Xanthomonas campestris</i> pv. <i>translucens</i> ).              |
| <input type="checkbox"/> 0 Wheat Yellow (Spindle Streak) Mosaic Virus                              | <input type="checkbox"/> 0 Bacterial Leaf Blight ( <i>Pseudomonas syringae</i> pv. <i>syringae</i> )          |
| <input type="checkbox"/> 0 Wheat Streak Mosaic Virus (WSMV)  | <input type="checkbox"/> 0 Other (Specify) _____  |
| <input type="checkbox"/> 0 Other (Specify) _____   | <input type="checkbox"/> 0 Other (Specify) _____  |
| <input type="checkbox"/> 0 Other (Specify) _____   | <input type="checkbox"/> 0 Other (Specify) _____  |
| <input type="checkbox"/> 0 Other (Specify) _____   | <input type="checkbox"/> 0 Other (Specify) _____  |

15. INSECT: (0 = Not Tested 1 = Susceptible 2 = Resistant 3 = Intermediate 4 = Tolerant)

PLEASE SPECIFY BIOTYPE (where needed)

- |   |  |
|---|--|
| <input type="checkbox"/> 0 Hessian Fly ( <i>Mayetiola destructor</i> )              | <input type="checkbox"/> 0 Other (Specify) _____ |
| <input type="checkbox"/> 0 Stem Sawfly ( <i>Cephus</i> spp.)                        | <input type="checkbox"/> 0 Other (Specify) _____ |
| <input checked="" type="checkbox"/> 1 Cereal Leaf Beetle ( <i>Oulema melanopa</i> ) | <input type="checkbox"/> 0 Other (Specify) _____ |



15. INSECT: (continued) (0 = Not Tested 1 = Susceptible 2 = Resistant 3 = Intermediate 4 = Tolerant)

PLEASE SPECIFY BIOTYPE (Where Needed)

200600273

- Russian Aphid (*Diuraphis noxia*)
- Greenbug (*Schizaphis graminum*)
- Aphids
- Other (Specify) \_\_\_\_\_
- Other (Specify) \_\_\_\_\_
- Other (Specify) \_\_\_\_\_

16. ADDITIONAL INFORMATION ON ANY ITEM ABOVE, OR GENERAL COMMENTS:

WHEAT DESCRIPTOR ILLUSTRATIONS

200600273

Section Numbers Correspond to the Numbers of the Sections on the Form

<p>4. EARLY PLANT GROWTH HABIT:</p> <p>1 Prostrate      2 Intermediate      3 Erect</p>	<p>10. (D.) STEM INTERNODE X-SECTION:</p> <p>1 Hollow      2 Semi-solid      3 Solid</p>	<p>11. (B.) SPIKE SHAPE:</p> <p>1 Tapering      2 Oblong      3 Clavate      4 Elliptical</p>	
<p>11. (D.) AWNEDNESS:</p> <p>1 Awnless      2 Apically Awnleted      3 Awnleted      4 Awned</p>	<p>12. (D.) BEAK SHAPE:</p> <p>1 Obtuse      2 Acute      3 Acuminate</p>	<p>12. (C.) SHOULDER SHAPE:</p> <p>1 Wanting      2 Oblique      3 Rounded      4 Square      5 Elevated      6 Apiculate</p>	
<p>13. (A.) SEED SHAPE:</p> <p>1 Ovate      2 Oval      3 Elliptical</p>	<p>13. (B.) CHEEK SHAPE:</p> <p>1 Rounded      2 Angular</p>	<p>13. (C.) BRUSH SIZE:</p> <p>1 Small      2 Midsized      3 Large      4 Collared</p>	<p>13. (C.) BRUSH HAIR LENGTH:</p> <p>1 Short      2 Medium      3 Long</p>
<p>13. (I.) GERM (EMBRYO) SIZE:</p> <p>1 Small      2 Midsized      3 Large</p>	<p>13. (D.) SEED CREASE WIDTH:</p> <p>1 Narrow      2 Mid-wide      3 Wide</p>	<p>13. (D.) SEED CREASE DEPTH:</p> <p>1 Shallow      2 Mid-Deep      3 Deep</p>	

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FORM APPROVED - OMB No. 0581-0055

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). The information is held confidential until the certificate is issued (7 U.S.C. 2426).

**EXHIBIT E  
STATEMENT OF THE BASIS OF OWNERSHIP**

1. NAME OF APPLICANT(S)  WestBred, LLC	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER  BZ 6W98-528	3. VARIETY NAME  WB-528
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country)  81 Timberline Drive Bozeman, MT 59718	5. TELEPHONE (Include area code)  (406) 587-1218	6. FAX (Include area code)  (406) 586-8247
7. PVPO NUMBER		200600273

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block. If no, please explain.  YES  NO

9. Is the applicant (individual or company) a U.S. national or a U.S. based company? If no, give name of country.  YES  NO

10. Is the applicant the original owner?  YES  NO If no, please answer one of the following:

a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)?  YES  NO If no, give name of country

b. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company?  YES  NO If no, give name of country

11. Additional explanation on ownership (Trace ownership from original breeder to current owner. Use the reverse for extra space if needed):

**PLEASE NOTE:**

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 0.1 hour per response, including the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provide and employer.

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Form Approved OMB NO 0581-0055

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**U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY  
PLANT VARIETY PROTECTION OFFICE  
BELTSVILLE, MD 20705**

**EXHIBIT F  
DECLARATION REGARDING DEPOSIT**

<b>NAME OF OWNER (S)</b> WestBred, LLC	<b>ADDRESS (Street and No. or RD No., City, State, and Zip Code and Country)</b> 81 Timberline Drive Bozeman, MT 59718	<b>TEMPORARY OR EXPERIMENTAL DESIGNATION</b> BZ 6W98-528
		<b>VARIETY NAME</b> WB-528
<b>NAME OF OWNER REPRESENTATIVE (S)</b> Dr. Dale R. Clark	<b>ADDRESS (Street and No. or RD No., City, State, and Zip Code and Country)</b> 81 Timberline Drive Bozeman, MT 59718	<b>FOR OFFICIAL USE ONLY</b>
		<b>PVPO NUMBER</b> 200600273

I do hereby declare that during the life of the certificate a viable sample of propagating material of the subject variety will be deposited, and replenished as needed periodically, in a public repository in the United States in accordance with the regulations established by the Plant Variety Protection Office.

Dale R. Clark for WestBred, LLC  
Signature

Aug 21, 2006  
Date