



State of Oregon  
 Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 (503) 986-0900

# Application for Klamath Basin Adjudication Determined Claim\* Temporary Transfer

## Part 1 of 5 – Minimum Requirements Checklist

**This temporary transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.**  
 For questions, please call (503) 986-0900, and ask for Transfer Section.

**FOR TEMPORARY TRANSFER APPLICATIONS AUTHORIZED UNDER SB 206**

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**Check all items included with this application. (N/A = Not Applicable)**

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Temporary Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: <http://www.oregon.gov/owrd/pages/pubs/forms.aspx#fees>. If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Transferred Water Rights/Claims: **How many water rights/determined claims are to be transferred? 1 List them here: KA49**  
 Please include a separate Part 5 for each water right/determined claim and/or deeded land owner. (See instructions on page 6)
- N/A For standard Temporary Transfer (one to five years) **Begin Year 2019 End Year 2024.**

**Attachments:**

- Completed Temporary Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- Current recorded deed for the land **from** which the authorized place of use is temporarily being moved.
- N/A Consent from the deeded land owner(s) if not the applicant, Part 4 page 4.
- N/A Land Use Information Form with approval and signature (or signed land use form receipt stub). Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.

\* A Determined Claim is a CORRECTED PARTIAL ORDER OF DETERMINATION, Recorded with Klamath Circuit Court on February 28, 2014.

**(For Staff Use Only)**

**WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):**

___ Application fee not enclosed/insufficient	___ Map not included or incomplete
___ Land Use Form not enclosed or incomplete	___ Part ___ is incomplete
___ Additional signature(s) required	Other/Explanation _____
Staff: _____ 503-986-0 _____	Date: ___/___/___

## Part 2 of 5 – Temporary Transfer Application Map Checklist

**Your temporary transfer application will be returned if any of the map requirements listed below are not met.**

**Please be sure that the temporary transfer application map you submit includes all the required items and matches the existing water right/claim map. Check all boxes that apply.**

- N/A If **more than three** water rights/claims are involved, separate maps are needed for each water right/claim.
- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Klamath Adjudication Maps (the map associated with the water right/determined claim), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water right/claim, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right/claim is being changed, a separate hachuring is needed for lands left unchanged.
- N/A Proposed temporary place of use that includes separate hachuring for each water right/claim, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion with distance and bearing or coordinates from a recognized survey corner. (This information for a determined claim can be found the POD Location Table as listed in the Claim Description of its CORRECTED PARTIAL ORDER OF DETERMINATION).
- N/A If you are proposing a change in point(s) of diversion to convey water to the new temporary place of use, show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

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**Part 3 of 5 – Fee Worksheet**

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right/claim for up to 1 cfs)	1	\$810.00
2	Number of water rights/claims included in transfer <u>1</u> (2a) Subtract 1 from the number in 3a above: <u>0</u> (2b) <i>If only one water right/claim this will be 0</i> Multiply line 2b by \$260.00 and enter » » » » » » » » » » » » » »	2	0
4	Do you propose to change the place of use for a non-irrigation use? <input checked="" type="checkbox"/> No: enter 0 on line 4 » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: _____ (4a) Subtract 1.0 from the number in 4a above: _____ (4b) If 4b is 0, enter 0 on line 4 » If 4b is greater than 0, round up to the nearest whole number: _____ (4c) and multiply 4c by \$200.00, then enter on line 4 » » » » » » » » » » » » » »	4	0
5	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 5 » <input checked="" type="checkbox"/> Yes: enter the number of acres for the portions of the rights to be transferred: <u>30.8</u> (5a) Multiply the number of acres in 5a above by \$2.30 and enter on line 5 » »	5	70.84
6	Add entries on lines 1 through 5 above » » » » » » » » » » » » » » Subtotal:	6	880.84
7	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7 »	7	0
8	Subtract line 7 from line 6 » » » » » » » » » » » » » » » » <b>Transfer Fee:</b>	8	<b>880.84</b>

\*Example for Line 2a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

1. Divide total authorized cfs by total acres in the water right (for C12345, 1.25 cfs ÷ 100 ac); then multiply by the number of acres to be transferred to get the transfer cfs (x 45 ac = 0.56 cfs).
2. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs)
3. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land.** The fee should be assessed only once for each “on the ground” acre included in the transfer. (In this example, blank 2a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0).

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**Part 4 of 5 – Applicant Information and Signature**

**Applicant Information (District)**

APPLICANT/IRRIGATION DISTRICT <b>STEPHEN J. TRAYNHAM JR. &amp; JAMIE R. TRAYNHAM</b>		PHONE NO. <b>530-908-9864</b>	ADDITIONAL CONTACT NO. <b>530-682-8403</b>
ADDRESS <b>PO BOX 100</b>			FAX NO.
CITY <b>MAXWELL</b>	STATE <b>CA</b>	ZIP <b>95955</b>	E-MAIL <b>jtraynham@citlink.net</b>
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>			

**Agent Information** – The agent is authorized to represent the applicant in all matters relating to this application.

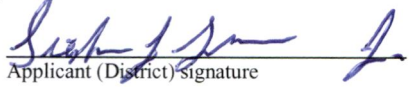
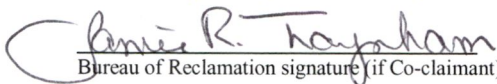
AGENT/BUSINESS NAME <b>HOLLIE CANNON / WATER RIGHT SOLUTIONS, LLC</b>		PHONE NO. <b>541-821-5848</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>3246 HAMMER STREET</b>			FAX NO.
CITY <b>KLAMATH FALLS</b>	STATE <b>OR</b>	ZIP <b>97603</b>	E-MAIL <b>hcannon@waterrightsolutions.com</b>
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>			

Explain in your own words what you propose to accomplish with this transfer application; and why:  
**We propose use the water right with the oldest priority date on the best quality soil to grow the most pasture we can. Most of the water right on this ranch is regulated off because of the Time Immemorial priority date of the Klamath Tribe.**

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

**I (we) affirm that the information contained in this application is true and accurate.**

 Applicant (District) signature	<b>Stephen J. Traynham Jr.</b> Print Name (and Title if applicable)	<u>2/25/19</u> Date
 Bureau of Reclamation signature (if Co-claimant)	<b>Jamie R. Traynham</b> Print Name (and Title if applicable)	<u>2/25/19</u> Date

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Is the applicant, as listed in Part 5 of 5, Table 2, the sole owner of the land on which the water right/claim, or portion thereof, proposed for transfer is located?  Yes  No

**IF NO, include one of the following for each landowner:**

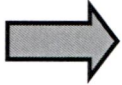
- Landowner(s) signature on application Part 5 of 5 Table 2
- Affidavit(s) of Consent from Landowner(s) (OWRD form)
- Water right conveyance agreement and a copy of the recorded deed for the landowner at the time the water right/claim was conveyed

Check here if any of the water rights/claims proposed for transfer are or will be located within or served by an irrigation or other water district AND the district is not the applicant. (Tip: Complete and attach Supplemental Form D.)

DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



To meet State Land Use Consistency Requirements, you must list all local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME <b>KLAMATH COUNTY</b>	ADDRESS <b>305 MAIN ST.</b>	
CITY <b>KLAMATH FALLS</b>	STATE <b>OR</b>	ZIP <b>97601</b>

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Pursuant to ORS 540.525, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540-610.

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**Part 5 of 5 – Water Right/Claim Information**

Please use a separate Part 5 for each water right/claim being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

**Description of on Farm Water Delivery System**

System capacity: 5.89 cubic feet per second (cfs) **OR**  
 \_\_\_\_\_ gallons per minute (gpm)

Source (live flow, stored water, etc.): \_\_\_\_\_.

Name of Re-diversion Serving on Farm System: \_\_\_\_\_

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Describe the current on farm water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. **Open ditch from a diversion on Fort Creek as indicated on the attached map.**

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD)**

(Note: POD descriptions for determined claims are listed in the Claim Description portion of the CORRECTED PARTIAL ORDER OF DETERMINATION.)

POD Name	Is this POD Authorized on the Water Right/Claim or is it Proposed?	Twp	Rng	Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
<b>POD#1</b>	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	33	S	7.5	E	23	NE SW	672 feet South and 509 feet West from C1/4 Corner, Section 23 T33S R7.5E. <b>NOTE: There is a scrivener's error in KA 49. The POD is in Range 7.5, not 7.</b>
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

**Check all type(s) of temporary change(s) proposed below (change "CODES" are provided in parentheses):**

- Place of Use (POU)
  Point of Diversion (POD)  
(only if necessary to convey water to the new temporary place of use)

**For Place of Use Changes**

Are there other determined claims, certificates, water use permits or ground water registrations associated with the "from" or the "to" lands?  Yes  No

**IF YES**, list the determined claims, certificate, water use permit, or ground water registration numbers: Cert 2807

**Please complete Table 2 for each landowner and/or water right/claim involved in the transfer.** Refer to instructions to modify the table.  
Do you have questions about how to fill-out the tables? Contact the Department at 503-986-0900 and ask for Transfer Staff.

**Table 2. Description of Temporary Changes to Water Right/Claim Number KA 49**

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD, specify the acreage associated with each POD.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acre	Type of USE listed on Water Right/Claim	POD(s) (name or # from Table 1)	Priority Date		Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acre	POD(s) to be used (from Table 1)	Priority Date				
33	S	7.5	E	22	NE	SE	4900		10.0	IR	POD#1	10/14/ 1864	<input checked="" type="checkbox"/> POU <input type="checkbox"/> POD	33	S	7.5	E	22	SW	SE	4900		13.0	POD#1	10/14/1864
33	S	7.5	E	23	NW	SW	600		12.5	IR	POD#1	10/14/1864	<input checked="" type="checkbox"/> POU <input type="checkbox"/> POD	33	S	7.5	E	27	NW	NE	4900		17.8	POD#1	10/14/1864
33	S	7.5	E	23	SW	SW	600 & 800		8.3	IR	POD#1	10/14/1864	<input checked="" type="checkbox"/> POU <input type="checkbox"/> POD												
													<input type="checkbox"/> POU <input type="checkbox"/> POD												
													<input type="checkbox"/> POU <input type="checkbox"/> POD												
													<input type="checkbox"/> POU <input type="checkbox"/> POD												
													<input type="checkbox"/> POU <input type="checkbox"/> POD												
TOTAL ACRES									30.8	TOTAL ACRES											30.8				

- N/A  Yes If the applicant is not the deeded landowner, an Affidavit of Consent or Conveyance Agreement (or Quitclaim) and a copy of the recorded deed for the landowner at the time the water right/claim was conveyed is submitted with the application.
- N/A  Yes The landowner of the Authorized "From" lands signs the application and a current recorded deed is submitted with the application.

*Stephen J. Traynham Jr.*  
Signature of landowner

Date: 2/25/19

*Jamie R. Traynham*  
Signature of landowner

Date: 2/25/19

Printed name (and title): **STEPHEN J. TRAYNHAM JR., OWNER**  
Mailing Address (with state and zip): **PO BOX 100  
MAXWELL, CA 95955**  
Phone number (include area code): **530-908-9864**

Printed name (and title): **JAMIE R. TRAYNHAM**  
Mailing Address (with state and zip): **PO BOX 100  
MAXWELL, CA 95955**  
Phone number (include area code): **530-682-8403**

\*\*E-mail address: **jtraynham@citlink.net**

\*\*E-mail address: **jtraynham@citlink.net**

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THIS SPACE RESERVED FOR RECORD

2017-007673  
Klamath County, Oregon  
07/10/2017 03:11:01 PM  
Fee: \$52.00

After recording return to:  
Stephen J. Traynham Jr. and Jamie R. Traynham  
PO Box 100  
Maxwell, CA 95955

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Until a change is requested all tax statements shall be sent to the following address:  
Stephen J. Traynham Jr. and Jamie R. Traynham  
PO Box 100  
Maxwell, CA 95955  
File No. 177310AM

**STATUTORY WARRANTY DEED**

**Kenneth G. Tuttle and Lynn C. Tuttle, Successor Trustees of the Karen L. Tuttle Revocable Living Trust as to an Undivided 50% Interest**

**Kenneth G. Tuttle and Lynn C. Tuttle, Successor Trustees of the Kenneth L. Tuttle Credit Shelter Trust, as to an Undivided 50% Interest,**

Grantor(s), hereby convey and warrant to

**Stephen J. Traynham Jr. and Jamie R. Traynham, as Tenants by the Entirety**

Grantee(s), the following described real property in the County of Klamath and State of Oregon free of encumbrances except as specifically set forth herein:

*See Exhibit A*

The true and actual consideration for this conveyance is \$3,100,000.00.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

2017-2018 Real Property Taxes, a lien not yet due and payable.

*Exhibit*

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BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 6 day of July, 2017

Kenneth L. Tuttle Credit Shelter Trust

By: [Signature]  
Kenneth G. Tuttle, Successor Trustee

By: [Signature]  
Lynn C. Tuttle, Successor Trustee

Karen L. Tuttle Revocable Living Trust

By: [Signature]  
Kenneth G. Tuttle, Successor Trustee

By: [Signature]  
Lynn C. Tuttle, Successor Trustee

State of Oregon } ss  
County of Clatsop }

On this 7 day of July, 2017, before me, Heather Sciorba a Notary Public in and for said state, personally appeared Kenneth G. Tuttle as Successor Trustee of the Kenneth L. Tuttle Credit Shelter Trust and as Successor Trustee of the Karen L. Tuttle Revocable Living Trust known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]  
Notary Public for the State of Oregon  
Residing at: Clatsop Falls, OR  
Commission Expires: Jan 9, 2018



State of Washington } ss  
County of King }

On this 6 day of July, 2017, before me, Barbara David a Notary Public in and for said state, personally appeared Lynn C. Tuttle as Successor Trustee of the Kenneth L. Tuttle Credit Shelter Trust and as Successor Trustee of the Karen L. Tuttle Revocable Living Trust known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]  
Notary Public for the State of Washington  
Residing at: King County  
Commission Expires: June 1, 2019

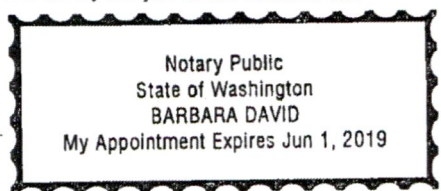


Exhibit A  
Legal Description

## Parcel 1

SE1/4 of Section 22, Township 33 South, Range 7 1/2 East of the Willamette Meridian, EXCEPTING therefrom the SE1/4 NE1/4 NE1/4 SE1/4 of said Section 22, ALSO EXCEPTING therefrom that portion conveyed to the State of Oregon by deed dated March 18, 1937, in Volume 108, page 287, Deed Records of Klamath County, Oregon, ALSO EXCEPTING therefrom that portion conveyed to Fort Klamath Cemetery Association by deed recorded July 29, 1946 in Volume 193, page 127, Deed Records of Klamath County, Oregon, ALSO EXCEPTING therefrom those portions conveyed by deed recorded in Volume 99, page 499 and in Volume 101, page 157, Deed Records of Klamath County, Oregon, ALSO EXCEPTING therefrom that portion conveyed to Fort Klamath Cemetery Association by deed recorded May 27, 2008 in Volume 2008-007594, Microfilm Records of Klamath County, Oregon.

ALSO, beginning at the iron pin which marks the Southeast corner of the SE1/4 NE1/4 NE1/4 SE1/4 of Section 22, Township 33 South, Range 7 1/2 East of the Willamette Meridian, and running thence North 89°32' West along the South line of the SE1/4 NE1/4 NE1/4 SE1/4 of said Section 22, a distance of 337.45 feet to an iron pin; thence North 85°44' East a distance of 338.38 feet to an iron pin; thence South along the Section line a distance of 27.9 feet, more or less, to the point of beginning, being the SE1/4 NE1/4 NE1/4 SE1/4 of Section 22, Township 33 South, Range 7 1/2 East of the Willamette Meridian.

ALSO, all that portion of the SW1/4SW1/4, SW1/4 NW1/4 SW1/4, S1/2 SE1/4 NW1/4 SW1/4, S1/2 N1/2 SE1/4 NW1/4 SW1/4 of Section 23, Township 33, South, Range 7 1/2 East of the Willamette Meridian lying Westerly and Southwesterly of the Crater Lake Highway 62; ALSO EXCEPTING therefrom that portion conveyed by William Zumbrun, et ux, to Klamath County, in Deed Volume M66, page 7990, dated July 22, 1966, recorded August 8, 1966 Deed Records of Klamath County, Oregon; EXCEPTING therefrom that portion deeded for roads in deed recorded in Volume 99, page 501, and in Volume 101, page 157, Deed Records of Klamath County, Oregon; EXCEPTING therefrom that portion deeded for roads in deed recorded in Volume 99, page 501, Deed Records of Klamath County, Oregon;

ALSO, all that portion of the NW1/4 NW1/4, and N1/2 N1/2 SW1/4 NW1/4 of Section 26, Township 33 South, Range 7 1/2 East of the Willamette Meridian lying Westerly of the Crater Lake Highway 62. EXCEPTING therefrom that portion deeded for roads in deed recorded in Volume 99, page 501, Deed Records of Klamath County, Oregon.

ALSO, Government Lots 8, 9, 10, 11 and NE1/4 and NW1/4 SE1/4 of Section 27, Township 33 South, Range 7 1/2 East of the Willamette Meridian.

## Parcel 2

All that portion of the NW1/4 NW1/4 SW1/4 of Section 23, Township 33 South, range 7 1/2 East of the Willamette Meridian, lying Southerly of State Highway 62 as the same is presently located and constructed, and all that portion of the N1/2 N1/2 SE1/4 NW1/4 SW1/4 of Section 23, Township 33 South, Range 7 1/2 East of the Willamette Meridian, lying Southwesterly of State Highway 62 as the same is presently located and constructed. EXCEPTING therefrom that portion conveyed to Fort Klamath Cemetery Association by deed recorded December 5, 2008 in Volume 2008-016110, Microfilm Records of Klamath County, Oregon.

## Parcel 3

That portion of the E1/2 W1/2 SW1/4 NE1/4 and the E1/2 SW1/4 NE1/4 of Section 22, Township 33 South, Range 7 1/2 East of the Willamette Meridian lying Southwesterly of the Highway. EXCEPTING therefrom that parcel of land described in Warranty Deed recorded June 13, 1960, in Deed Volume 322, page 55, Deed Records of Klamath County, Oregon; begin the East 510 feet of that portion of the E1/2 W1/2 NE1/4 of said Section lying Southerly of the State Highway.

## Parcel 4

That portion of the SW1/4 SW1/4 of Section 23, Township 33 South, Range 7 1/2 East of the Willamette Meridian, lying East of State Highway 62; EXCEPTING therefrom a strip of land conveyed to Randy J. Sparacino, et ux, described as follows:

Beginning at a point on the East line of the SW1/4 SW1/4 of Section 23, Township 33 South, Range 7 1/2 East of the Willamette Meridian, from which point a 5/8" rebar with aluminum cap marking the SW1/16 corner of said Section 23 as set during R.O.S. No. 3749 bears North 00°04'11" West 350.00 feet; thence South 89°55'49" West 8.00 feet; thence South 00°04'11" East 338.00 feet; thence North 89°55'49" East 8.00 feet to a point on the East line of said SW1/4 SW1/4; thence along said East line North 00°04'11" West 338.00 feet to the point of beginning.

That portion of the NW1/4 NW1/4 and the N1/2 N1/2 SW1/4 NW1/4 of Section 26, Township 33 South, Range 7 1/2 East of the Willamette Meridian, lying East of Highway No. 62; EXCEPTING therefrom a parcel conveyed to Gordon W. Barrie and Ruth E. Barrie, by deed recorded in Volume M70, page 9908, Microfilm Records of Klamath County, Oregon.

Also that portion of the NE1/4 NW1/4 of said Section 26, Township 33 South, Range 7 1/2 East of the Willamette Meridian, lying Westerly of Fort Creek.

# Application for Water Right Transfer

## Evidence of Use Affidavit



**Oregon Water Resources Department**  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 (503) 986-0900  
 www.wrd.state.or.us

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing.  
 Supporting documentation must be attached.

State of Oregon )  
 ) ss  
 County of KLAMATH)

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 OWRD

I, STEPHEN J. TRAYNHAM JR. & JAMIE R. TRAYNHAM, in my capacity as OWNERS,  
 mailing address PO Box 100, MAXWELL, CA 95955  
 telephone number (530)908-9864, being first duly sworn depose and say:

1. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation                       Professional expertise

2. I attest that:

- Water was used during the previous five years on the **entire** place of use for Certificate # \_\_\_\_; **OR**
- My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township	Range	Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

- OR**
- Confirming Certificate # \_\_\_\_ has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: \_\_\_\_ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # CLAIM: KA 49 (For Historic POD/POA Transfers)

(continues on reverse side)

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3. The water right was used for: (e.g., crops, pasture, etc.): PASTURE

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

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OWRD

Jamie R Traynham  
Signature of Affiant

2/25/19  
Date

Signed and sworn to (or affirmed) before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

*See attached Notary Jurat*

\_\_\_\_\_  
Notary Public for Oregon

My Commission Expires: \_\_\_\_\_

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of <b>confirming</b> water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> <li>• Power usage records for pumps associated with irrigation use</li> <li>• Fertilizer or seed bills related to irrigated crops</li> <li>• Farmers Co-op sales receipt</li> </ul>
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> <li>• District assessment records for water delivered</li> <li>• Crop reports submitted under a federal loan agreement</li> <li>• Beneficial use reports from district</li> <li>• IRS Farm Usage Deduction Report</li> <li>• Agricultural Stabilization Plan</li> <li>• CREP Report</li> </ul>
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a> OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a> Google Earth – <a href="http://earth.google.com">earth.google.com</a> TerraServer – <a href="http://www.terraserver.com">www.terraserver.com</a></p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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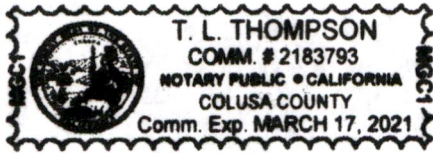
**JURAT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Colusa

Subscribed and sworn to (or affirmed) before me on this 25th day of  
February, 2019, by Jamie R. Traynham

proved to me on the basis of satisfactory evidence to be the person(s)  
who appeared before me.



(Seal)

Signature T. L. Thompson

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MAR 01 2019

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