



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: Claim KA-67**
 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 2021 End Year 2025.**

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. (See attached Exhibit D.)
- 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):

<input type="checkbox"/> Application fee not enclosed/insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Part _____ is incomplete
<input type="checkbox"/> 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°).

Part 4 of 5 – Applicant Information and Signature

Applicant Information (District)

APPLICANT/IRRIGATION DISTRICT Thomas Family Limited Partnership		PHONE NO. 661-619-3465	ADDITIONAL CONTACT NO.
ADDRESS 2500 Venture Oaks Way, Suite 175			FAX NO.
CITY Sacramento	STATE CA	ZIP 95833	E-MAIL kurt@agencyranch.com
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.			

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

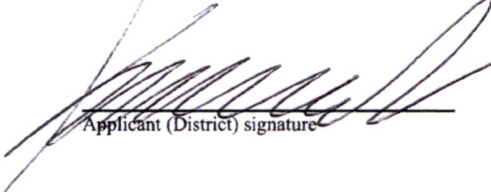
AGENT/BUSINESS NAME Kirk Maag		PHONE NO. 503-294-9546	ADDITIONAL CONTACT NO. 541-881-9613
ADDRESS 760 SW Ninth Ave Ste 3000			FAX NO.
CITY Portland	STATE OR	ZIP 97205	E-MAIL kirk.maag@stoel.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application; and why:
 Applicant desires to provide additional water to Lower Klamath National Wildlife Refuge. The transfer would have multiple benefits, including improving water quality and improving fish and wildlife habitat. Applicant would not irrigate the real property to which Claim KA-67 is appurtenant.

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	Kurt C. Thomas President, Thomas Cattle Company, Inc., as the General Partner of Applicant	Date <u>4/15/2021</u>
Print Name (and Title if applicable)		

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

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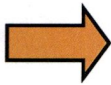
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Check here if any of the water rights/claims proposed for transfer are or will be located within or served by an irrigation or other water district AND the district is not the applicant. (Tip: Complete and attach Supplemental Form D.)

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 Klamath County	ADDRESS 305 Main Street	
CITY Klamath Falls	STATE OR	ZIP 97626

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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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: ≥30.01 cubic feet per second (cfs) **OR**
 _____ gallons per minute (gpm)

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

Name of Re-diversion Serving on Farm System: N/A

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. **Up to 14.51 cfs can be diverted from the Wood River using POD 1 (headgate). Applicant currently relies on POD 1 as its sole point of diversion from the Wood River. Water diverted from POD 1 is used to irrigate the entire authorized Wood River place of use using gravity flow.**

Up to 15.5 cfs can be diverted from Crooked Creek using the authorized Crooked Creek POD. Applicant uses a 60 horsepower electric pump to divert water at the Crooked Creek POD. Water diverted from the Crooked Creek POD is used to irrigate the entire authorized Crooked Creek place of use using gravity flow.

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)
Wood River POD 1 (Headgate)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	34 S	7.5 E	14	NW NW	5	30 FEET SOUTH AND 2450 FEET WEST FROM N¼ CORNER, SECTION 14
Wood River POD 2 (Pump)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	34 S	7.5 E	14	NW NW	5	45 FEET SOUTH AND 2450 FEET WEST FROM N¼ CORNER, SECTION 14
Crooked Creek POD	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	34 S	7.5 E	13	NW SE		1510 FEET NORTH AND 2210 FEET WEST FROM SE CORNER, SECTION 13
Ady/Central Canal	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	40 S	8 E	15	NE NW		1220 FEET SOUTH AND 2730 FEET WEST FROM NE CORNER, SECTION 15
	<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)

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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: Certificates 42934, 42935, and 42936 are appurtenant to the authorized place of use for Claim KA-67, and Claims KA-312 and KA-313 are appurtenant to the proposed place of use of Claim KA-67.

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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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-67 (see EXHIBIT A-1 for "from", EXHIBIT B-1 for "to")
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	Acres	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	Acres	POD(s) to be used (from Table 1)	Priority Date
										<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									
										<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									
										<input type="checkbox"/> POU <input type="checkbox"/> POD									
										<input type="checkbox"/> POU <input type="checkbox"/> POD									
TOTAL ACRES							TOTAL ACRES												

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- 13673 - 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.

*N/A; applicant is landowner and signed Part 4, Page 4 Date: _____
Signature of landowner

*N/A; applicant is landowner and signed Part 4, Page 4 Date: _____
Signature of landowner

Printed name (and title): _____ Business name, if applicable: _____
Mailing Address (with state and zip): _____ Phone number (include area code): _____ **E-mail address: _____

Printed name (and title): _____ Business name, if applicable: _____
Mailing Address (with state and zip): _____ Phone number (include area code): _____ **E-mail address: _____

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 California)
) ss
 County of Santa Barbara)

I, Kurt C. Thomas, in my capacity as President of Thomas Cattle Company, Inc., an Oregon corporation, the General Partner of Thomas Family Limited Partnership, an Oregon limited partnership, with a mailing address of 2500 Venture Oaks Way, Suite 175, Sacramento, CA 95833, and a phone number of 661-619-3465, being first duly sworn depose and say:

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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 Claim KA-67 ; **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 # _____ (For Historic POD/POA Transfers)

(continues on reverse side)

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

Signature of Affiant

Date

4/15/2021

Signed and sworn to (or affirmed) before me this 15 day of April, 2021.

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see attached acknowledgment form

Notary Public for Oregon

My Commission Expires: 12/17/2022

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 confirming water right certificate that shows issue date
<input checked="" type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water *See attached Attachment 1 (pasture rent receipts from 2015 through 2020) and Attachment 2 (electricity records for 2016 through 2020)	<ul style="list-style-type: none"> • Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
<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"> • District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	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. Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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ACKNOWLEDGEMENT

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 Santa Barbara) ss.

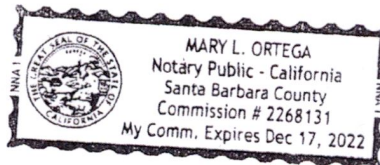
On April 15, 2021 before me, Mary L. Ortega, Notary Public, personally appeared Kurt C. Thomas, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Mary L. Ortega (Seal)

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EVIDENCE OF USE AFFIDAVIT – ATTACHMENT 1

(See attached.)¹

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¹ NOTE: The “From” lands are irrigated pasture that is leased for livestock grazing. The attached documents are receipts from the grazing lease from 2015 through 2020.

11:46 AM
04/12/21
Cash Basis

Thomas Family Limited Partnership
Transaction Detail By Account
January 1, 2015 through April 12, 2021

Type	Date	Num	Name	Memo	Credit
K2 Cattle Co., LLC					
Deposit	06/01/2015	██████	K2 Cattle Co., LLC	pasture rent deposit	25,000.00
Deposit	11/03/2015	██████	K2 Cattle Co., LLC	Pasture rent 2015 Summer	143,060.00
Deposit	11/18/2016	██████	K2 Cattle Co., LLC	2016 Summer Pasture Rent	173,723.00
Deposit	12/06/2017	██████	K2 Cattle Co., LLC	2017 Summer/Fall Pasture Rent	121,645.00
Deposit	12/21/2018	██████	K2 Cattle Co., LLC	2018	142,141.80
Deposit	09/30/2019	██████	K2 Cattle Co., LLC	Flat Rate Pasture Rent	100,000.00
Deposit	09/30/2019	██████	K2 Cattle Co., LLC	Stockers @ Root	26,099.80
Deposit	01/28/2020	██████	K2 Cattle Co., LLC	Agency/Root 122 head @ 51 days & 200 head @33 days @ .75/head	9,616.50
Deposit	09/16/2020	██████	K2 Cattle Co., LLC	Flat Rate Rent \$100K + \$89010.05 Stockers	169,010.05
Total K2 Cattle Co., LLC					910,295.95
TOTAL					910,295.95

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2015 Ft Klamath K2 Pasture Payments

<u>Agency</u>	<u>Class Cattle</u>	<u>\$/Hd/Mo</u>	<u># Months</u>	<u># Head</u>	<u>Total</u>
TFLP	Cows	\$35.00		6	596 \$125,160.00
	Bred Hfrs	\$25.00		6	286 \$42,900.00
	Less Deposit				-\$25,000.00
	Total Due				\$143,060.00

2015

<u>7 Mile</u>	<u>Class Cattle</u>	<u>\$/Hd/Mo</u>	<u># Months</u>	<u># Head</u>	<u>Total</u>
	Bred Hfrs	\$25.00		6	534 \$80,100.00
	Bulls	\$50.00	4.5	13	\$2,925.00
	Repl Hfrs	\$100.00	Season	123	\$12,300.00
	Weaned Hfrs	\$24.00		2	620 \$29,760.00
	Less Deposit				-\$25,000.00
	Total Due				\$100,085.00

Charged @ 80 cents/head/day per Craig Fall Feed fees
Cattle moved to & Mile from Dixon and Agency on Aug 20th

<u>ECC</u>	<u>Class Cattle</u>	<u>\$/Hd/Mo</u>	<u># Months</u>	<u># Head</u>	<u>Total</u>
	Bulls	\$50.00		6	52 \$15,600.00
	Total Due				\$15,600.00

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Pasture Payments 2016																	
Ranch																	
Sevenmile	May	June	July	August	Sept	Oct											Pymt Info
Pairs	21240	21240	21240	23440	23440	5860											Sevenmile Creek Ranch, LLC
Bred Hfrs	9480	9480	9480	9480	3810	3810											760 SW Ninth Ave, Suite 200
Repl Hfrs	3050	3050	3050	3050	0	0											Portland, OR 97205
Monthly Total	33770	33770	33770	35970	27250	9670											Total 174200
Smith	May	June	July	August	Sept	Oct											Pymt Info
Pairs	17200	17200	13680	13680	12600	12600											1789 Land Company, LLC
Bred Hfrs	0	0	0	0	0	0											760 SW Ninth Ave, Suite 200
Repl Hfrs	19000	19000	19000	18225	18225	18225											Portland, OR 97205
Monthly Total	36200	36200	32680	31905	30825	30825											Total 198635
TFLP Agency/Root	May	June	July	August	Sept	Oct											Pymt Info
Pairs	23160	23160	23160	21423	20680	20680											Thomas Family Limited Partnership
Bred Hfrs	8490	8490	8490	8490	0	0											You have the addresses
Repl Hfrs	0	0	0	0	3750	3750											
Monthly Total	31650	31650	31650	29913	24430	24430											Total 173723
Mathis	May	June	July	August	Sept	Oct											Pymt Info
Pairs	0	0	0	0	0	0											Delta Land and Cattle, LLC
Bred Hfrs	0	0	0	0	14160	14160											2033 SW Jackson St
Repl Hfrs	0	0	0	0	0	0											Portland, OR 97202
Monthly Total	0	0	0	0	14160	14160											Total 28320
ECC/Tejon	May	June	July	August	Sept	Oct											Pymt Info
Pairs	0	9680	0	0	0	0											Echeverria Cattle Co
Bred Hfrs	0	930	930	3720	3720	3720											6216 Alfred Harrell Hwy
Bulls	0	8330	8330	8330	8330	8330											Bakersfield, CA 93308
Monthly Total	0	18940	9260	12050	12050	12050											Total 64350

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2017 Summer/Fall K2 Pasture Invoice

Ranch Name	Cow Inventory						Ranch Income						Totals	
	May	June	July	August	Sept	Oct		May	June	July	August	Sept	Oct	
Agency Root							Agency Root							
Cows	580	580	580	580	580	580	546 Cows	\$20,300.00	\$20,300.00	\$20,300.00	\$20,300.00	\$20,300.00	\$19,110.00	\$120,610.00
Bred Heifers	0	0	0	0	0	0	0 Bred Heifers	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Stockers	0	195	408	408	408	408	69 Stockers	\$0.00	\$0.00	\$0.00	\$0.00	\$26,764.80	\$1,035.00	\$27,799.80
														\$148,409.80
														Sept Gain bill due by ECC
"300"							"300"							
Cows	0	0	0	0	0	0	0 Cows	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Bred Heifers	296	296	296	296	296	296	296 Bred Heifers	\$7,400.00	\$7,400.00	\$7,400.00	\$7,400.00	\$7,400.00	\$1,850.00	\$38,850.00
Stockers	0	0	0	0	0	0	0 Stockers	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
														\$38,850.00
Delta							Delta							
Cows	257	257	257	257	501	501	0 Cows	\$8,995.00	\$8,995.00	\$8,995.00	\$17,535.00	\$17,535.00	\$0.00	\$62,055.00
Bred Heifers	0	0	0	0	0	0	0 Bred Heifers	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Stockers	0	0	0	0	0	0	0 Stockers	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
														\$62,055.00
														257 ECC cows, MAY-July, 236 ECC cows and 265 K2 cows Aug & Sept
7 Mile							7 Mile							
Cows	337	337	337	337	0	0	265 Cows	\$11,795.00	\$11,795.00	\$11,795.00	\$0.00	\$0.00	\$9,275.00	\$44,660.00
Bred Heifers	492	492	492	492	492	492	492 Bred Heifers	\$12,300.00	\$12,300.00	\$12,300.00	\$12,300.00	\$12,300.00	\$3,075.00	\$64,575.00
Stockers	0	0	0	1511	1553	1553	0 Stockers	\$0.00	\$0.00	\$0.00	\$22,665.00	\$17,471.25	\$0.00	\$0.00
														\$109,235.00
														Charged K2 weaners @ \$15/month as there was little gain
Dixon							Dixon							
Cows	599	599	599	599	599	639	639 Cows	\$20,965.00	\$20,965.00	\$20,965.00	\$20,965.00	\$22,365.00	\$11,182.50	\$117,407.50
Bred Heifers	93	93	93	93	93	93	0 Bred Heifers	\$2,325.00	\$2,325.00	\$2,325.00	\$2,325.00	\$2,325.00	\$0.00	\$11,625.00
Stockers	0	0	0	0	0	0	0 Stockers	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
														\$129,032.50
Tejon							Tejon							
Cows	0	0	0	0	0	0	1522 Cows	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$26,635.00	\$26,635.00
Bred Heifers	0	0	0	0	0	0	785 Bred Heifers	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$17,662.50	\$17,662.50
Stockers	0	0	0	0	0	134	134 Stockers	\$0.00	\$0.00	\$0.00	\$0.00	\$2,010.00	\$2,010.00	\$4,020.00
Bulls	128	128	128	86	86	86	86 Bulls	\$7,680.00	\$7,680.00	\$7,680.00	\$5,160.00	\$5,160.00	\$5,160.00	\$38,520.00
														\$86,837.50

Total Summer Pasture Expense \$574,419.80

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K2 2018 Summer Pasture Invoice

11/30/18

Tejon- Echeverria Cattle Co

Cows

190 @ \$35 @ 5 mos= \$33,250.00
107 @ \$35 @ 3 mos= \$11,235.00
290 @ \$35 @ 3 mos= \$30,450.00
158 @ 35 @ 1 mos= \$5,530.00

Bulls

127 @ \$65 @ 6 mos= \$49,530.00
16 @ \$65 @ 2 mos= \$2,080.00

Total due Echeverria Cattle Co- \$131,875.00

Agency/Root- Thomas Family Trust

Cows

496 @ \$35 @ 6 mos= \$104,160.00
Fall Feed- = \$2,923.00

Stockers

369 @ 213# @ 40 cents= \$31,438.80
181 @ 2 mos @ \$10= \$3,620.00

Total due Thomas Family- \$142,141.80

Delta Land & Cattle Co

Cows

169 @ \$35 @ 6 mos= \$35,490.00

Total due Delta= \$35,490.00

7Mile & "300"- Von Schlegell

L7Mile

Cows 150 @ \$35 @ 6 mos= \$31,500.00
Bred Heifers 154 @ \$25 @ 5 mos= \$19,250.00

U7Mile

Cows 411 @ \$35 @ 6 mos= \$86,310.00
Fall Feed- \$11,377.50

"300"

Cows 163 @ \$35 @ 6 mos= \$34,230.00

Total due Von Schlegell- \$182,667.50

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Wells Fargo Bank
Transaction Receipt

Branch [REDACTED] Deposit [REDACTED]
Account Number [REDACTED]
CHK 00114
Number of Checks 1
Check Listing \$142,141.80
Total Checks Amount \$142,141.80
Total Deposit \$142,141.80
Deposit Availability
\$2,500.00 of your deposit is
included in your available balance.
\$139,641.80 will be available on
FT1689, 12/21/18
Transaction # [REDACTED]
09:51AM 12/20/18
Deposit Credit Date: 12/20/18

Deposit:

(Check One) Checking Savings Money Market Access Command



Account Number * [REDACTED] Date [REDACTED]

Cash [REDACTED]

Total Checks (include total from other side) 142,141.80

Subtotal [REDACTED]

Minus cash back [REDACTED]

Total \$ 142,141.80

Please print Name: Thomas Family Limited Partnership

Please print Street Address, City, State, Zip Code [REDACTED]

Deposits may not be available for immediate withdrawal. See Delayed posting information on reverse.

Two forms of ID may be required

Please sign in the teller's presence for cash back.

X

Bank Use Only (When SVT is Not Available) TLR607 (04/16) WFO11 70269898

Customer id	Exp. date:	Token Verified (✓) <input type="checkbox"/>	Approval
-------------	------------	---	----------

⑈ [REDACTED] ⑆ [REDACTED]

THIS DOCUMENT HAS A COLORED SECURITY BACKGROUND. DO NOT CASH IF THE WORD "VOID" IS VISIBLE. THIS PAPER HAS AN ARTIFICIAL WATERMARK ON REVERSE SIDE AND IS ALTERATION PROTECTED.

K2 CATTLE CO., LLC
6216 ALFRED HARRELL HWY
BAKERSFIELD, CA 93308
(661) 342-3934



002462

12/19/2018

PAY TO THE ORDER OF Thomas Family Limited Partnership \$ **142,141.80

One Hundred Forty-Two Thousand One Hundred Forty-One and 80/100 ***** DOLLARS

Thomas Family Limited Partnership
2500 Venture Oaks, Suite 178
Sacramento, CA 95833

MEMO

Handwritten: 142,136.73 -

⑈ [REDACTED] ⑆ [REDACTED] (KA-67 Temp Transfer App) 7 of 12

Wells Fargo Bank
Transaction Receipt

Branch 0000150 29 Deposit

Account Number

CHK #

Number of Checks

Check Listing

\$126,099.60

Total Check Amount

\$126,099.60

Amount Available

\$2,500.00 of your deposit is

included in your available balance.

\$123,599.60 will be available on

Tuesday, 10/01/19

Transaction

Deposit Credit Date: 09/30/19

Thank you for your business.

Enjoy the convenience of

scheduling appointments online at

wellsfargo.com/appointments

Thank you, REYHA

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K2 CATTLE CO., LLC
6216 ALFRED HARRELL HWY
BAKERSFIELD, CA 93308
(861) 342-3824

WELLS FARGO
Wells Fargo Bank, N.A.

002576

9/24/2019

PAY TO THE ORDER OF Thomas Family Limited Partnership \$ **126,099.60
One Hundred Twenty-Six Thousand Ninety-Nine and 60/100 ***** DOLLARS

Thomas Family Limited Partnership
2200 Venture Center, Suite 175
Bakersfield, CA 93308

[Signature]

MEMO

K2 CATTLE CO., LLC

Thomas Family Limited Partnership

Date 9/24/2019
Type Bill
Reference 2019 Pasture Rent
Bill 2019 Pasture Rent

002576

9/24/2019

Payment 100,000.00
Discount 26,099.60
Check Amount 126,099.60

Balance Due 100,000.00
Check Amount 26,099.60

Original Amt. 100,000.00
Discount 26,099.60

2019 Pasture Rent

13673 -

Wells Fargo Checking

126,099.60

Attachment 1 (KA-67 Temp Transfer App)
8 of 12

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Deborah Mecomber

From: Michael Echeverria <mteecc@gmail.com>
Sent: Monday, September 23, 2019 12:55 PM
To: Deborah Mecomber
Subject: Pasture Payments

TFLP Files
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Deborah- Please pay out the following, once you have the correct entity(s) from JVS crew. Please send separate checks to them and include a copy of this email. You can lump mine together if easier

Cow Pasture Flat Rate-
ECC- \$300k
Thomas/Maletis/JEVS- \$100k each

Additional bulls, cow and stocker payments:

Thomas- K2 Yearlings @ Root- Received 398 Hd @ 219,560#, Shipped 396 Hd @ 278,784#- 59,224# @ 40 cents/lb= \$23,689.60

K2 Weaned calves- 241 head @ \$10/hd/month @ one month= \$2,410.00

Total Thomas Stockers- \$26,099.60

JEVS- K2/BNW partnership heifers- Received- 205 heifers, pay wt- 145,775# Shipped 205 heifers @ 189,832#= Net gain- 44,077# @ 40 cents= \$17,630.80

ECC-

K2/BNW Partnership Heifers- Received 1,004 hd, pay wt 492,712#- Shipped 997 hd pay wt- 708,867#= Net gain- 216,155# @ 40 cents= \$86,462.00

Bulls- Winter- 153 hd @ \$60/hd/month= \$55,080.00 Summer- 117 hd @ \$60/hd/mo= \$42,120.00 Total all bulls- \$97,200.00

Mtn Cows- 276 Hd @ 12 mos @ \$30/hd/mo= \$99,360.00

Total ECC all other cattle- \$283,022.00

Sincerely

Michael Echeverria
mteecc@gmail.com
(661) 342-3934

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Cattle Invoice

12/10/19

Terms- 75 cents/hd/day

"300"- Oct 1- 80 head received, Dec 2- 80 head shipped
80 head @ 61 days @ .75= \$3,660.00

Agency/Root- 122 head @ 51 days @ .75= \$4,666.50
200 head @ 33 days @ .75= \$4,950.00

L 7 Mile- 213 head @ 30 days @ .75= \$4,792.50

9616.50

Thomas Family LP

Total due K2 Cattle Co- \$18,069.00

Make checks payable to:
K2 Cattle Co
6216 Alfred Harrell Hwy
Bakersfield, CA 93308

For pasture rent
collected from
Ron Anderson

Direct Deposit from K2 to TFLP on 1-28-20

13673 -

Deborah Mecomber

From: Michael Echeverria <mteecc@gmail.com>
Sent: Thursday, September 03, 2020 6:16 PM
To: Deborah Mecomber
Subject: Land rents

Deborah- When you have time, please pay the 3 K2 OR partners the following

- \$100k flat rate each partner
- Stocker payment for ECC in May/June, divided by 3, and 1/3 to each OR partner $207,030.15 \div 3 = 69,010.05$
ie- if payment was \$240k, divide that by 3 and pay each partner \$80k for Stocker Distribution

I'll send you the ECC summer invoice for bulls, SWW cows, etc when I get home

Thanks and call me with questions and if you need any entity or address info

Mike Echeverria
Echeverria Cattle Co
661-342-3934
mteecc@gmail.com

\$ 169,010.05 each

Thomas Family LP

Limnes Land Company, LLC (Malotis)

Sevennile Creek Ranch, LLC (Von Schlegel)

\$ 100,000 Flat Rate
69,010.05 Stockers

\$ 169,010.05

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K2 CATTLE CO., LLC
6216 ALFRED HARRELL HWY
BAKERSFIELD, CA 93308
(661) 342-3934

WELLS FARGO Wells Fargo Bank, N.A.

002734

9/8/2020

PAY TO THE ORDER OF Thomas Family Limited Partnership \$ **169,010.05

One Hundred Sixty-Nine Thousand Ten and 05/100***** DOLLARS

Thomas Family Limited Partnership
[REDACTED]
Sacramento, CA 95833

MEMO

002734 [REDACTED] 27985895

K2 CATTLE CO., LLC

002734

Thomas Family Limited Partnership

Date	Type	Reference	Original Amt.	Balance Due	9/8/2020 Discount	Payment
9/8/2020	Bill	FLAT RATE LAND RENT	100,000.00	100,000.00		100,000.00
9/8/2020	Bill	STOCKERS	69,010.05	69,010.05		69,010.05
Check Amount						169,010.05

Wells Fargo Bank
Transaction Receipt

TFP

Branch #0000160 20 Deposit

Account Number [REDACTED]

CHK 00114

Number of Checks 1

Check Listing

\$169,010.05

Total Checks Amount

\$169,010.05

Total Deposit

\$169,010.05

Deposit Availability

\$2,500.00 of your deposit is

included in your available balance.

\$166,510.05 will be available on

Thursday, 09/17/20

Transaction [REDACTED]

11:32AM 09/16/20

Deposit Credit Date: 09/16/20

Thank you, SHELTON

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EVIDENCE OF USE AFFIDAVIT – ATTACHMENT 2

(See attached.)¹

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¹ NOTE: The attached documents are utility bills associated with pumping under the Crooked Creek POD.

23866 01 AB 0.416 80-1
 K C THOMAS CATTLE CO
 KURT C THOMAS
 2500 VENTURE OAKS WAY STE 175
 SACRAMENTO CA 95833-4222



Inquiries? Call your
 Business Solutions Team
 Toll free 1-866-870-3419,
 M-F, 6am-6pm PT
 pacificpower.net



BILLING DATE: **May 1, 2020**
 ACCOUNT NUMBER: [REDACTED]
 DUE DATE: **May 19, 2020**
 AMOUNT DUE: **\$1,164.65**



Your Balance With Us

Previous Account Balance	3,071.53
Payments/Credits	-3,071.53
New Charges	+1,164.65
Current Account Balance	\$1,164.65

Payments Received

DATE	DESCRIPTION	AMOUNT
Apr 10, 2020	Payment Received - Thank You	3,071.53
Total Payments		\$3,071.53

Summary of Account Activity

ITEM 3 ELECTRIC SERVICE	A3848 Hwy 62 60HP Chiloquin OR 60 Hp Irrg/cr From 77425632 Schedule F41 METER [REDACTED]	926.76
ITEM 4 ELECTRIC SERVICE	A8125 Agency Ranch 20HP Chiloquin OR 20 Hp Irrg/cr From 77425632 Schedule F41 METER [REDACTED]	0.00
ITEM 5 ELECTRIC SERVICE	A3525 Hwy 62 110HP Chiloquin OR Hp Rating 110 Hp - Solar 60 Kw Schedule 135 METER [REDACTED]	237.89

We're closely monitoring the COVID-19 situation and taking actions to keep the lights on. We've suspended nonpayment disconnections and are here 24/7 to help with payment options. You can rely on us.

Seguimos monitoreando la situación de COVID-19 y hemos tomado medidas para mantener su servicio activo. Se han suspendido desconexiones por falta de pago y estamos aquí 24/7 para ayudar con opciones de pago. Puede confiar en nosotros.

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Write account number on check & mail to: Pacific Power, PO Box 26000, Portland, OR 97256-0001

See reverse

RETAIN THIS PORTION FOR YOUR RECORDS.

RETURN THIS PORTION WITH YOUR PAYMENT

↑ INSERT THIS
 EDGE FIRST ↑

Late Payment Charge for Oregon
 A late payment charge of 2.0% may be charged on any balance not paid in full each month.

Change of Mailing Address or Phone?
 Check here & provide information on back.



PACIFIC POWER
 PO BOX 26000
 PORTLAND OR 97256-0001



Account Number: [REDACTED]
 Date Due: **May 19, 2020**

AMOUNT DUE: **\$1,164.65**

Please enter the amount enclosed.

13673

K C THOMAS CATTLE CO
 KURT C THOMAS
 2500 VENTURE OAKS WAY STE 175
 SACRAMENTO CA 95833-4222

OK to pay per KT 5-7-2020
 Paid Online 5-7-2020 CONFIRMATION:

[REDACTED]



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P.O. Box 400
Portland, Oregon 97207-0400
1-888-221-7070
fax 1-888-800-2851
pacificpower.net

Account Billing and Payment History*

Account # [REDACTED]

Total Account Balance: \$20.84
Current Amount Due: \$20.84

Date	Statement/Payment	Bill Amount	Payments & Credits
04/09/2021	Regular Bill	\$20.84	\$0.00
03/05/2021	Regular Bill	\$0.00	\$0.00
02/03/2021	Regular Bill	\$0.00	\$0.00
01/08/2021	Regular Bill	\$0.00	\$0.00
12/11/2020	Customer Payment	\$0.00	\$1,562.09
12/04/2020	Regular Bill	\$1,562.09	\$0.00
11/10/2020	Customer Payment	\$0.00	\$4.04
11/02/2020	Regular Bill	\$4.04	\$0.00
10/16/2020	Customer Payment	\$0.00	\$1,155.12
10/08/2020	Regular Bill	\$1,155.12	\$0.00
09/21/2020	Customer Payment	\$0.00	\$775.02
09/09/2020	Regular Bill	\$775.02	\$0.00
08/21/2020	Customer Payment	\$0.00	\$811.17
08/05/2020	Regular Bill	\$811.17	\$0.00
07/16/2020	Customer Payment	\$0.00	\$2,184.75
07/08/2020	Regular Bill	\$2,184.75	\$0.00
06/23/2020	Customer Payment	\$0.00	\$216.04
06/05/2020	Regular Bill	\$216.04	\$0.00
05/11/2020	Customer Payment	\$0.00	\$1,164.65
05/01/2020	Regular Bill	\$1,164.65	\$0.00
04/10/2020	Customer Payment	\$0.00	\$3,071.53
04/03/2020	Regular Bill	\$3,071.53	\$0.00
03/03/2020	Regular Bill	\$0.00	\$0.00
02/06/2020	Regular Bill	\$0.00	\$0.00
01/24/2020	Customer Payment	\$0.00	\$6.70
01/09/2020	Regular Bill	\$6.70	\$0.00
12/26/2019	Customer Payment	\$0.00	\$1,939.75
12/09/2019	Regular Bill	\$1,939.75	\$0.00
11/21/2019	Customer Payment	\$0.00	\$10.71
11/06/2019	Regular Bill	\$10.71	\$0.00
10/15/2019	Customer Payment	\$0.00	\$495.31
10/07/2019	Regular Bill	\$495.31	\$0.00
10/02/2019	Customer Payment	\$0.00	\$596.17
09/10/2019	Regular Bill	\$596.17	\$0.00
09/06/2019	Customer Payment	\$0.00	\$1,603.65
08/08/2019	Regular Bill	\$1,603.65	\$0.00
07/29/2019	Customer Payment	\$0.00	\$2,712.54
07/08/2019	Regular Bill	\$2,712.54	\$0.00
06/25/2019	Customer Payment	\$0.00	\$4,351.20
06/06/2019	Regular Bill	\$4,351.20	\$0.00
05/22/2019	Customer Payment	\$0.00	\$346.86
05/03/2019	Regular Bill	\$346.86	\$0.00

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P.O. Box 400
 Portland, Oregon 97207-0400
 1-888-221-7070
 fax 1-888-800-2851
 pacificpower.net

Date	Statement/Payment	Bill Amount	Payments & Credits
04/04/2019	Regular Bill	\$0.00	\$0.00
03/06/2019	Regular Bill	\$0.00	\$0.00
02/05/2019	Regular Bill	\$0.00	\$0.00
01/16/2019	Regular Bill	\$0.00	\$0.00
12/31/2018	Customer Payment	\$0.00	\$1,999.75
12/10/2018	Regular Bill	\$1,999.75	\$0.00
12/06/2018	Customer Payment	\$0.00	\$25.45
11/14/2018	Regular Bill	\$25.45	\$0.00
11/02/2018	Customer Payment	\$0.00	\$13.40
10/15/2018	Regular Bill	\$13.40	\$0.00
10/03/2018	Customer Payment	\$0.00	\$601.98
09/12/2018	Regular Bill	\$601.98	\$0.00
09/05/2018	Customer Payment	\$0.00	\$358.87
08/14/2018	Regular Bill	\$358.87	\$0.00
08/02/2018	Customer Payment	\$0.00	\$2,569.25
07/11/2018	Regular Bill	\$2,569.25	\$0.00
06/25/2018	Customer Payment	\$0.00	\$253.81

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P.O. Box 400
 Portland, Oregon 97207-0400
 1-888-221-7070
 fax 1-888-800-2851
 pacificpower.net

Date	Statement/Payment	Bill Amount	Payments & Credits
06/11/2018	Regular Bill	\$253.81	\$0.00
05/16/2018	Customer Payment	\$0.00	\$2,554.60
05/09/2018	Regular Bill	\$2,554.60	\$0.00
04/19/2018	Customer Payment	\$0.00	\$2,477.16
04/09/2018	Regular Bill	\$2,477.16	\$0.00
03/27/2018	Customer Payment	\$0.00	\$0.67
03/02/2018	Regular Bill	\$0.67	\$0.00
02/19/2018	Customer Payment	\$0.00	\$0.67
02/08/2018	Regular Bill	\$0.67	\$0.00
01/15/2018	Customer Payment	\$0.00	\$1,136.58
01/02/2018	Regular Bill	\$1,136.58	\$0.00
12/21/2017	Customer Payment	\$0.00	\$4,331.17
12/04/2017	Regular Bill	\$4,331.17	\$0.00
11/14/2017	Customer Payment	\$0.00	\$128.93
10/31/2017	Regular Bill	\$128.93	\$0.00
10/17/2017	Customer Payment	\$0.00	\$1,562.36
10/03/2017	Regular Bill	\$1,562.36	\$0.00
09/14/2017	Customer Payment	\$0.00	\$716.65
08/30/2017	Regular Bill	\$716.65	\$0.00
08/14/2017	Customer Payment	\$0.00	\$968.06
08/07/2017	Regular Bill	\$968.06	\$0.00
07/17/2017	Customer Payment	\$0.00	\$405.61
07/06/2017	Regular Bill	\$405.61	\$0.00
06/27/2017	Customer Payment	\$0.00	\$6,217.43
06/05/2017	Regular Bill	\$6,217.43	\$0.00
05/02/2017	Regular Bill	\$0.00	\$0.00
03/28/2017	Regular Bill	\$0.00	\$0.00
02/28/2017	Regular Bill	\$0.00	\$0.00
02/03/2017	Regular Bill	\$0.00	\$0.00
01/06/2017	Regular Bill	\$0.00	\$0.00
12/20/2016	Customer Payment	\$0.00	\$2,184.27
12/01/2016	Regular Bill	\$2,184.27	\$0.00
11/28/2016	Customer Payment	\$0.00	\$2,955.29
11/04/2016	Regular Bill	\$2,955.29	\$0.00
10/11/2016	Customer Payment	\$0.00	\$2,461.29
09/30/2016	Regular Bill	\$2,461.29	\$0.00
09/13/2016	Customer Payment	\$0.00	\$2,537.87
08/29/2016	Regular Bill	\$2,537.87	\$0.00
08/15/2016	Customer Payment	\$0.00	\$3,232.18
08/01/2016	Regular Bill	\$3,232.18	\$0.00
07/15/2016	Customer Payment	\$0.00	\$4,367.72
06/28/2016	Regular Bill	\$4,367.72	\$0.00
06/15/2016	Customer Payment	\$0.00	\$6,608.42
05/31/2016	Regular Bill	\$6,608.42	\$0.00
04/26/2016	Regular Bill	\$0.00	\$0.00
03/29/2016	Regular Bill	\$0.00	\$0.00
02/26/2016	Regular Bill	\$0.00	\$0.00
01/29/2016	Regular Bill	\$0.00	\$0.00
01/06/2016	Regular Bill	\$0.00	\$0.00

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EXHIBIT A-1

Description of "From" Lands

(See attached.)

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Claim KA-67 Authorized Place of Use

T-R-S	QQ	Gov't Lot	Acres	Status	Remarks
34.00S-7.50E-11	SW SE		12.9	NC	CROOKED CREEK POD
34.00S-7.50E-11	SE SE		39.6	NC	CROOKED CREEK POD
34.00S-7.50E-12	SW SW		39.2	NC	CROOKED CREEK POD
34.00S-7.50E-12	SE SW		30.4	NC	CROOKED CREEK POD
34.00S-7.50E-13	NW NE	4	2.2	NC	CROOKED CREEK POD
34.00S-7.50E-13	SW NE	6	12.3	NC	CROOKED CREEK POD
34.00S-7.50E-13	SE NE	7	6.2	NC	CROOKED CREEK POD
34.00S-7.50E-13	NE NW		35.6	NC	CROOKED CREEK POD
34.00S-7.50E-13	NW NW		40.0	NC	CROOKED CREEK POD
34.00S-7.50E-13	SW NW		40.0	NC	CROOKED CREEK POD
34.00S-7.50E-13	SE NW		40.0	NC	CROOKED CREEK POD
34.00S-7.50E-13	NE SW		35.1	NC	CROOKED CREEK POD
34.00S-7.50E-13	NW SW		40.0	NC	CROOKED CREEK POD
34.00S-7.50E-13	SW SW		29.7	NC	CROOKED CREEK POD
34.00S-7.50E-13	SE SW		39.8	NC	CROOKED CREEK POD
34.00S-7.50E-13	NE SE	9	0.5	NC	CROOKED CREEK POD
34.00S-7.50E-13	NW SE	10	9.6	NC	CROOKED CREEK POD
34.00S-7.50E-13	NW SE	11	14.0	NC	CROOKED CREEK POD
34.00S-7.50E-13	NW SE	12	3.7	NC	CROOKED CREEK POD
34.00S-7.50E-13	SW SE	13	3.9	NC	CROOKED CREEK POD
34.00S-7.50E-13	SW SE	14	7.9	NC	CROOKED CREEK POD
34.00S-7.50E-14	NE NE		38.4	NC	CROOKED CREEK POD
34.00S-7.50E-14	NW NE		2.4	NC	CROOKED CREEK POD
34.00S-7.50E-14	SE NE		24.5	NC	CROOKED CREEK POD
34.00S-7.50E-14	NE SE		6.6	NC	CROOKED CREEK POD
34.00S-7.50E-24	NE NE		4.8	NC	CROOKED CREEK POD
34.00S-7.50E-24	NW NE		37.4	NC	CROOKED CREEK POD
34.00S-7.50E-24	SW NE		37.5	NC	CROOKED CREEK POD
34.00S-7.50E-24	SE NE		0.9	NC	CROOKED CREEK POD
34.00S-7.50E-24	NE NW		41.9	NC	CROOKED CREEK POD
34.00S-7.50E-24	NW NW		10.5	NC	CROOKED CREEK POD
34.00S-7.50E-24	SE NW		25.9	NC	CROOKED CREEK POD
34.00S-7.50E-24	NE SW		6.0	NC	CROOKED CREEK POD
34.00S-7.50E-24	NE SE		0.3	NC	CROOKED CREEK POD
34.00S-7.50E-24	NW SE		22.1	NC	CROOKED CREEK POD
34.00S-7.50E-24	SW SE		29.1	NC	CROOKED CREEK POD
34.00S-7.50E-24	SE SE		1.9	NC	CROOKED CREEK POD
34.00S-7.50E-25	NE NW		2.2	NC	CROOKED CREEK POD
SUBTOTAL			775.0		
34.00S-7.50E-11	SE SW		22.5	NC	WOOD RIVER PODS 1 AND 2
34.00S-7.50E-11	SW SE		27.1	NC	WOOD RIVER PODS 1 AND 2
34.00S-7.50E-13	SW SW		10.3	NC	WOOD RIVER PODS 1 AND 2
34.00S-7.50E-14	NE NE		1.6	NC	WOOD RIVER PODS 1 AND 2
34.00S-7.50E-14	NW NE		37.6	NC	WOOD RIVER PODS 1 AND 2
34.00S-7.50E-14	SW NE		37.6	NC	WOOD RIVER PODS 1 AND 2

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Exhibit A-1 (KA-67 Temp Transfer App)

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Claim KA-67 Authorized Place of Use

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34.00S-7.50E-14	SE NE		16.5	NC	WOOD RIVER PODS 1 AND 2
34.00S-7.50E-14	NE NW		40.0	NC	WOOD RIVER PODS 1 AND 2
34.00S-7.50E-14	NW NW	5	22.9	NC	WOOD RIVER PODS 1 AND 2
34.00S-7.50E-14	SW NW	6	16.6	NC	WOOD RIVER PODS 1 AND 2
34.00S-7.50E-14	SE NW		40.0	NC	WOOD RIVER PODS 1 AND 2
34.00S-7.50E-14	NE SW	7	43.1	NC	WOOD RIVER PODS 1 AND 2
34.00S-7.50E-14	SE SW	8	10.9	NC	WOOD RIVER PODS 1 AND 2
34.00S-7.50E-14	NE SE		33.4	NC	WOOD RIVER PODS 1 AND 2
34.00S-7.50E-14	NW SE		40.0	NC	WOOD RIVER PODS 1 AND 2
34.00S-7.50E-14	SW SE	9	33.9	NC	WOOD RIVER PODS 1 AND 2
34.00S-7.50E-14	SE SE		40.0	NC	WOOD RIVER PODS 1 AND 2
34.00S-7.50E-23	NE NE		40.0	NC	WOOD RIVER PODS 1 AND 2
34.00S-7.50E-23	NW NE	1	9.8	NC	WOOD RIVER PODS 1 AND 2
34.00S-7.50E-23	SE NE	2	28.5	NC	WOOD RIVER PODS 1 AND 2
34.00S-7.50E-23	NE SE	3	5.7	NC	WOOD RIVER PODS 1 AND 2
34.00S-7.50E-24	NW NW		30.0	NC	WOOD RIVER PODS 1 AND 2
34.00S-7.50E-24	SW NW		41.0	NC	WOOD RIVER PODS 1 AND 2
34.00S-7.50E-24	SE NW		13.3	NC	WOOD RIVER PODS 1 AND 2
34.00S-7.50E-24	NE SW		33.0	NC	WOOD RIVER PODS 1 AND 2
34.00S-7.50E-24	NW SW	6	37.7	NC	WOOD RIVER PODS 1 AND 2
34.00S-7.50E-24	SE SW	7	12.5	NC	WOOD RIVER PODS 1 AND 2
SUBTOTAL			725.5		

TOTAL KA-67

1500.5

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EXHIBIT A-2

Map of "From" Lands

(See attached.)

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EXHIBIT B-1

Description of "To" Lands

(See attached.)

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Claim KA-67 Proposed Place of Use

T-R-S	QQ	40	160	Acres	Remarks	Source
48.00N-2.00E- MDM				25.9	UNIT 3B1 - UNSURVEYED	CROOKED CR
48.00N-2.00E- MDM				51.9	UNIT 3B1 - UNSURVEYED	CROOKED CR
48.00N-2.00E- MDM				63.4	UNIT 3B1 - UNSURVEYED	CROOKED CR
48.00N-2.00E- MDM				69.3	UNIT 3B1 - UNSURVEYED	CROOKED CR
48.00N-2.00E- MDM				72.7	UNIT 3B1 - UNSURVEYED	CROOKED CR
48.00N-2.00E-28 MDM	NW SE	NW	SE	6.9	UNIT 3B2	CROOKED CR
48.00N-2.00E- MDM				26.8	UNIT 3B2 - UNSURVEYED	CROOKED CR
48.00N-2.00E- MDM				36.2	UNIT 3B2 - UNSURVEYED	CROOKED CR
48.00N-2.00E- MDM				50.0	UNIT 3B2 - UNSURVEYED	CROOKED CR
48.00N-2.00E- MDM				72.2	UNIT 3B2 - UNSURVEYED	CROOKED CR
48.00N-2.00E- MDM				74.5	UNIT 3B2 - UNSURVEYED	CROOKED CR
48.00N-2.00E- MDM				92.5	UNIT 3B2 - UNSURVEYED	CROOKED CR
48.00N-2.00E- MDM				2.2	UNIT 3A - UNSURVEYED	CROOKED CR
48.00N-2.00E- MDM				6.5	UNIT 3A - UNSURVEYED	CROOKED CR
48.00N-2.00E- MDM				10.9	UNIT 3A - UNSURVEYED	CROOKED CR
48.00N-2.00E- MDM				12.7	UNIT 3A - UNSURVEYED	CROOKED CR
48.00N-2.00E- MDM				18.8	UNIT 3A - UNSURVEYED	CROOKED CR
48.00N-2.00E- MDM				21.5	UNIT 3A - UNSURVEYED	CROOKED CR
48.00N-2.00E- MDM				60.1	UNIT 3A - UNSURVEYED	CROOKED CR
SUBTOTAL CROOKED CR				775.0		
48.00N-2.00E- MDM				224.0	UNIT 3A - UNSURVEYED	WOOD R
48.00N-2.00E- MDM				501.5	UNIT 6A - UNSURVEYED	WOOD R
SUBTOTAL WOOD R				725.5		
TOTAL KA-67				1500.5		

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EXHIBIT B-2

Map of "To" Lands

(See oversized map.)

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EXHIBIT C

Vicinity Map

(See oversized map.)

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EXHIBIT D

Vesting Deed for "From" Lands

(See attached.)

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After Recording return to:

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

Peter L. Osborne
1211 SW Fifth Avenue, Suite 1800
Portland, OR 97204

Kurt C. Thomas
2815 22nd Street
Bakersfield, CA 93301

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STATUTORY BARGAIN AND SALE DEED


KURT C. THOMAS and MELINDA THOMAS, as Tenants by the Entirety, convey to THOMAS FAMILY LIMITED PARTNERSHIP, an Oregon limited partnership, Grantee, the following described real property:

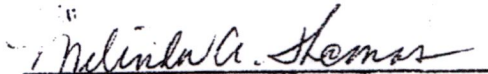
The real property located in Klamath County, Oregon described in Exhibit "A" attached hereto.

The true consideration for this conveyance is \$0. The total consideration consists of other value given.

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.

Executed this 27 day of December, 1996.


Kurt C. Thomas


Melinda A. Thomas

(Notary contained on following page)

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STATE OF CALIFORNIA)
) ss.
County of Kern)

On this 20th day of December, 1996, before me, the undersigned, a Notary Public in and for the state of California, duly commissioned and sworn, personally appeared KURT C. THOMAS, the individual that executed the foregoing instrument, and acknowledge the instrument to be his free and voluntary act and deed.

WITNESS my hand and official seal hereto affixed the day and year first above written.



Zoe Ann Handel
NOTARY PUBLIC in and for the State
of California, residing at Bakersfield CA
My Commission Expires: 2-23-97

STATE OF CALIFORNIA)
) ss.
County of Kern)

On this 20th day of December, 1996, before me, the undersigned, a Notary Public in and for the state of California, duly commissioned and sworn, personally appeared MELINDA A. THOMAS, the individual that executed the foregoing instrument, and acknowledge the instrument to be her free and voluntary act and deed.

WITNESS my hand and official seal hereto affixed the day and year first above written.



Zoe Ann Handel
NOTARY PUBLIC in and for the State
of California, residing at Bakersfield CA
My Commission Expires: 2-23-97

DESCRIPTION OF PROPERTY

The following described real property situate in Klamath County, Oregon:

A parcel of land situate in Sections 11, 12, 13, 14, 23, 24 and 25 all in Township 34 South, Range 7 1/2 East of the Willamette Meridian, being more particularly described as follows:

Beginning at a brass capped monument marking the Northeast corner NW 1/4 of said Section 13; thence South 01°18'11" East along the center of section line 1329.05 feet to a 5/8 inch iron pin; thence North 83°55'56" East, 303.21 feet to a 5/8 inch iron pin; thence North 77°27'38" East 743.71 feet to a 5/8 inch iron pin; thence South 23°27'00" East, 904.20 feet to a 5/8 inch iron pin; thence East 155.31 feet to a 5/8 inch iron pin on the Northwesterly bank of Crooked Creek; thence continuing East, to the center line of said Crooked Creek; thence Southerly along the centerline of said Crooked Creek to a point on the North line SE 1/4 NW 1/4 SE 1/4 of said Section 13: thence North 89°55'34" West along said North line to a 5/8 inch iron pin on the Northwesterly bank of Crooked Creek; thence continuing along said North line, North 89°55'34" West, 208.75 feet to a 5/8 inch iron pin marking the Northwest corner SE 1/4 NW 1/4 SE 1/4 of said Section 13: thence South 01°27'14" East, 662.91 feet to a 5/8 inch iron pin marking the Southwest corner SE 1/4 NW 1/4 SE 1/4 of said Section 13; thence South 89°56'02" East, 661.13 feet to a 5/8 inch iron pin marking Southeast corner NW 1/4 SE 1/4 of said Section 13; thence South 01°36'42" East, 1325.74 feet to a 5/8 inch iron pin marking the Southwest corner SE 1/4 SE 1/4 of said Section 13; thence South 89°56'58" East 1329.56 feet to a brass capped monument marking the Southeast corner of said Section 13; thence South 00°03'20" East along the Section line 1450.38 feet to a 1/2 inch iron pin; thence South 82°39'36" West, 280.19 feet to a 1/2 inch iron pin; thence South 85°18'24" West, 267.93 feet to a 3/4 inch pine tree; thence South 01°51'47" West, 357.64 feet to a 1/2 inch iron pin; thence South 83°37'38" West, 161.18 feet to a 32 inch pine tree; thence South 02°03'27" East, 145.28 feet to a 1/2 inch iron pin; thence South 77°38'34" West, 540.43 feet to a 1/2 inch iron pin on the Easterly bank of Crooked Creek; thence continuing South 77°38'34" West to the centerline of said Crooked Creek; thence Southerly along the centerline of said Crooked Creek to a point in said Section 25 from which the Northeast corner of said Section bears North 87°18'30" East a distance of 1589.28 feet; thence leaving said creek South 27°32'51" East, 252.57 feet to a 5/8 inch iron pin; thence continuing South 27°52'51" East, 43.43 feet to a 5/8 inch iron pin on the center line of that certain easement described in Deed Volume 358 at page 471, Klamath County Deed Records; thence along the centerline of said easement the following courses and distances: North 85°16'31" West, 420.46 feet to a 5/8 inch iron pin; South 69°16'28" West, 339.99 feet to a 5/8 inch iron pin; South 52°04'22" West, 307.99 feet to a 5/8 inch iron pin; South 28°50'21" West, 134.01 feet to a 5/8 inch iron pin; South 43°40'20" West, 224.00 feet to a 5/8 inch iron pin; South 29°27'04" West, 201.00 feet to a 5/8 inch iron pin; South 04°07'38" East, 42.10 feet to a 5/8 inch iron pin; South 23°32'52" East, 415.26 feet to a 5/8 inch iron pin on the mean high water line of Wood River; thence leaving said easement and along the mean high water line of said Wood River in a Northerly direction upstream to a point in said Section 14 where said mean high water line intersects the North line of said Section 14; thence leaving the mean high water line of said Wood River North 89°48'46" East along the section line 1122.00 feet to a 1 inch iron pipe; thence North 01°00'35" West, 1349.19 feet to a 5/8 inch iron pin marking the Northwest corner SE 1/4 SW 1/4 of said Section 11; thence South 89°57'19" East, 3958.62 feet to a 5/8 inch iron pin marking the Northeast corner SE 1/4 SE 1/4 of said Section 11; thence South 89°36'42" East, 2651.91 feet to a brass capped monument marking the Northwest corner SW 1/4 SE 1/4 of said Section 12; thence South 00°45'00" East, 1322.61 feet to the point of beginning.

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EXHIBIT A
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TOGETHER WITH: A roadway easement for the purpose of ingress and egress 50.00 feet in width lying 25.00 feet on each side of the following described centerline: Commencing at the Southeast corner NE $\frac{1}{4}$ of said Section 24; thence North 00°03'20" West along the section line 1194.78 feet; thence South 82°39'56" West, 25.20 feet to the point of beginning for the centerline of this easement; thence South 00°03'20" East parallel to but 25.00 feet Westerly of the section line 1191.58 feet; thence South 00°03'24" East parallel to but 25.00 feet Westerly of the section line 1346.71 feet; thence South 88°57'13" East, parallel to but 25.00 feet Southerly of the North line of Government Lot 4 of Section 19, Township 34 South, Range 7 East of the Willamette Meridian, 922.12 feet; thence South 05°32'32" East parallel to but 25.00 feet Westerly of the Westerly right of way line of Oregon State Highway #427, 657.51 feet to the centerline of an existing roadway easement; thence North 60°36'37" East, 27.33 feet to a point on the Westerly right of way line of said State Highway said point being the terminus of the centerline of this roadway easement.

TOGETHER WITH: All of the Grantor's interest in the following described irrigation easements: An irrigation ditch easement 30.00 feet in width for the purpose of conveying water and for ditch maintenance lying 15.00 feet on each side of the existing ditch centerline described as follows: Beginning at the intersection of an existing irrigation ditch with the north line SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 12 said point being South 89°44'01" East, 450 feet, more or less, from the northwest corner SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 12; thence Southerly along the centerline of the existing ditch to a point where said ditch enters the above described property said point being approximately 1250 feet South and 450 feet East of the Northwest corner NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 13.

ALSO TOGETHER WITH: An Irrigation ditch easement 30.00 feet in width for the purpose of conveying water and for ditch maintenance lying 15.00 feet on each side of the following described centerline: Beginning at a ditch intersection as the same now exists said ditch intersection being 485 feet East and 1360 feet South of the Northwest corner NE $\frac{1}{4}$ of said Section 13; thence northwesterly along said existing ditch centerline to a point where said ditch centerline intersects the West line NE $\frac{1}{4}$ of said Section 13.

SUBJECT TO easements and rights of way of record and apparent upon the land; said land is specially assessed as farm land and all deferred taxes will be due and payable when the reason for deferrment no longer exists; and reservations and restrictions contained in Deed of Tribal Property from United States of America to United States National Bank of Portland, Trustee, dated March 3, 1959, in Volume 310, page 324, Deed records of Klamath County, Oregon.

EXHIBIT A
PAGE 2

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Peter L. Osborne the 24th day of November A.D., 19 98 at 10:36 o'clock A. M., and duly recorded in Vol. M98 of Deeds on Page 42955.

FEE \$45.00

By Bernetha G. Letsch, County Clerk
Kathleen Ross



April 20, 2021

Kirk B. Maag
760 SW Ninth Avenue, Suite 3000
Portland, OR 97205
D. 503.294.9546
kirk.maag@stoel.com

BY HAND DELIVERY

Oregon Water Resources Department
Attn: Patrick K. Starnes
725 Summer Street NE, Suite A
Salem, OR 97301-1271

Re: Temporary Transfer Application – Claim KA-67

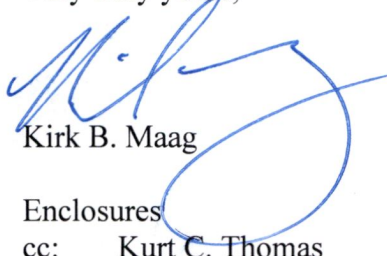
Dear Kelly:

Please find enclosed an Application for Klamath Basin Adjudication Determined Claim Temporary Transfer for Claim KA-67 along with the required application fee. If an electronic copy of any of the application materials would be helpful to the Oregon Water Resources Department, please let me know.

Due to the COVID-19 pandemic and related restrictions, we have enclosed copies of signature pages. Upon request, we can provide the original signature pages.

Please contact me if you have any questions regarding this application.

Very truly yours,



Kirk B. Maag

Enclosures
cc: Kurt C. Thomas

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ENCLOSURE LIST

- Application
- Application Fee
- Evidence of Use Affidavit
 - Attachment 1: Pasture Rent (2015-2020)
 - Attachment 2: Pumping Receipts (2016-2020)
- Exhibit A-1: Description of “From” Lands
- Exhibit A-2: Map of “From” Lands
- Exhibit B-1: Description of “To” Lands
- Exhibit B-2: Map of “To” Lands
- Exhibit C: Vicinity Map
- Exhibit D: Vesting Deed for “From” Lands

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