

15542

MEMORANDUM OF MODIFICATION AND AMENDMENT
OF GEOTHERMAL LEASE AND AGREEMENTVol. *my*

Page

9008

THIS MEMORANDUM OF GEOTHERMAL LEASE MODIFICATION AND AMENDMENT, dated June 1, 1976, by and between O'Connor Livestock Co., a corporation, Frances O'Connor Enterprises, Inc., David R. Vandenberg, Jr. and Muriel M. Vandenberg, his wife, herein-after called "Lessor" and THERMAL POWER COMPANY, a corporation, hereinafter called "Lessee".

W I T N E S S E T H :

WHEREAS, Lessor and NATOMAS COMPANY, a corporation have entered into that certain Geothermal Lease and Agreement dated November 11, 1974, a Memorandum of which Lease was recorded in Volume M74, Page 15542, Official Records of Klamath County, Oregon and,

WHEREAS, by instrument dated July 31, 1975, Natomas Company transferred and assigned to THERMAL POWER COMPANY, a corporation all of its right, title and interest in and to said Geothermal Lease and Agreement which instrument was recorded in Volume 75, Page 9695, Official Records of Klamath County, Oregon and,

WHEREAS, by Agreement dated June 1, 1976, said Geothermal Lease and Agreement was modified and amended to grant to the Lessee thereunder sole and exclusive right to explore, drill, mine and/or operate for oil, gas or other hydrocarbon substances upon the terms and conditions therein set forth.

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NOW THEREFORE:

In consideration of the premises it is hereby mutually agreed that the term, rental and royalties to be paid by Lessee and all other agreements, covenants, conditions, obligations and privileges of Lessor and Lessee herein shall be those set forth in that certain Geothermal Lease and Agreement dated November 11, 1974, as modified and amended by that certain Agreement between Lessor and Lessee dated June 1, 1976, which said Lease, Modification and Amendment Agreement is hereby adopted and by reference made a part hereof with the same force and effect as though said Geothermal Lease and Agreement and said Modification and Amendment Agreement were herein copied in identical words and figures.

3009

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

LESSEE

THERMAL POWER COMPANY

By

A. L. O'Brien

VICE-PRESIDENT

LESSOR

O'CONNOR LIVESTOCK CO.

By

Jack M. O'Connor

JACK M. O'CONNOR

By

Theresa O'Connor

THERESA O'CONNOR

FRANCES O'CONNOR ENTERPRISES, INC.

By

Frances O'Connor

FRANCES O'CONNOR

By

Dan O'Connor

DAN O'CONNOR

David R. Vandenberg, Jr.

DAVID R. VANDENBERG, JR.

Muriel M. Vandenberg
Muriel M. Vandenberg, his wife

STATE OF OREGON)

County of Klamath)

ss.

June 16, 1976

9010

Personally appeared the above named Jack M. O'Connor, who being sworn stated that he is the President, and Theresa O'Connor, who being sworn, stated that she is the Secretary-Treasurer of O'Connor Livestock Company, an Oregon corporation, and that the seal affixed hereto is its seal and that the foregoing was voluntarily signed and sealed in behalf of the corporation by authority of its Board of Directors. Before me:

Janet M. Thomas
Notary Public for Oregon

My Commission expires: 8/23/79

STATE OF OREGON)

County of Klamath)

ss.

Personally appeared the above named Dan O'Connor also known as Daniel O'Connor, who being sworn stated that he is the President and Frances O'Connor who, being sworn stated that she is the Secretary of Frances O'Connor Enterprises, Inc. an Oregon corporation, and that the seal affixed hereto is its seal and that the foregoing was voluntarily signed and sealed in behalf of the corporation by authority of its Board of Directors. Before me:

Janet M. Thomas
Notary Public for Oregon

My Commission expires: 8/23/79

STATE OF OREGON)

County of Klamath)

ss.

Personally appeared the above named David R. Vandenberg, Jr., and Muriel M. Vandenberg, husband and wife, and acknowledged the foregoing instrument to be their voluntary act. Before me:

Janet M. Thomas
Notary Public for Oregon

My Commission expires: 8/23/79

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FORM No. 24—ACKNOWLEDGMENT—CORPORATION.

03950 STEVENS-REAR LAW PUB. CO., PORTLAND

STATE OF OREGON,

County of Klamath } ss. On this 17 day of June, 19 76,
 before me appeared W. L. D'Olier ~~and~~

known to me personally known, who being
 duly sworn, did say that he, the said W. L. D'Olier
 is the Vice President, and by the said
~~as his Secretary~~ of Thermal Power Company
 the within named Corporation, and that the seal affixed to said instrument is the corporate seal of said Corpora-
 tion, and that the said instrument was signed and sealed in behalf of said Corporation by authority of its Board
 of Directors, and and
 acknowledged said instrument to be the free act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal
 the day and year last above written.

Delora J. Hagen
 Notary Public for Oregon.

My commission expires 2-7-80



State of Oregon, } ss,
 County of Klamath }

I hereby certify that the within instrument was
 received and filed for record on the 17th
 day of June, 19 76, at 2:01
 o'clock P M. and recorded on Page M 76
 in Book M 76 Records of DEEDS
 of said County.

WM. D. MILNE, County Clerk

By Kazel Drazile Deputy

Fee \$ 12.00

Thermal Power Co.
601- Coal St. Suite 1302
San Jo

94108