

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

McEST RANCHES LLC
 PO BOX 1726
 YAKIMA WA 98907

NORTHWEST FARM CREDIT SERVICES, PCA
 P.O. BOX 1610
 SUNNYSIDE WA 98944

confirms the right to use the waters of FOUR WELLS in the POWDER RIVER BASIN for IRRIGATION of 713.0 ACRES.

This right was perfected under Permit G-13616. The date of priority is JUNE 10, 1998. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 8.24 CUBIC FEET PER SECOND (CFS) being 1.11 CFS FROM WELL 1, 4.45 CFS FROM WELL 2, AND 1.34 CFS FROM WELL 3 AND 1.34 CFS FROM WELL 4, measured at the well.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	39 E	WM	13	SE SE	WELL #4 (BAKE 87) - 300 FEET NORTH FROM SW CORNER, SE SE, SECTION 13
7 S	39 E	WM	24	SE SE	WELL #2 (BAKE 139) - 40 FEET NORTH AND 40 FEET EAST FROM SW CORNER, SE SE, SECTION 24
7 S	39 E	WM	25	NE NE	WELL #1 (BAKE 136) - 40 FEET NORTH AND 40 FEET EAST FROM SW CORNER NENE, SECTION 25
7 S	40 E	WM	19	SW SE	WELL # 3 - (BAKE 132) 40 FEET NORTH AND 20 FEET EAST FROM S1/4 CORNER, SECTION 19

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

The place of use is as follows:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
7 S	39 E	WM	25	NE NE		35.0
7 S	40 E	WM	18	NE SW	1	37.2

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
7 S	40 E	WM	18	NW SW	2	19.0
7 S	40 E	WM	18	SW SW	2	20.5
7 S	40 E	WM	18	SE SW	1	38.9
7 S	40 E	WM	18	NWSE		5.8
7 S	40 E	WM	18	SW SE		25.5
7 S	40 E	WM	18	SE SE		12.1
7 S	40 E	WM	19	NE NE		28.5
7 S	40 E	WM	19	NW NE		22.8
7 S	40 E	WM	19	SW NE		31.6
7 S	40 E	WM	19	SE NE		38.9
7 S	40 E	WM	19	NE NW	1	32.0
7 S	40 E	WM	19	NW NW	2	32.0
7 S	40 E	WM	19	SE NW	1	32.0
7 S	40 E	WM	19	NE SW	1	32.0
7 S	40 E	WM	19	SE SW	1	32.0
7 S	40 E	WM	19	NE SE		36.5
7 S	40 E	WM	19	NW SE		34.4
7 S	40 E	WM	19	SW SE		32.0
7 S	40 E	WM	19	SE SE		32.0
7 S	40 E	WM	20	NW NW		0.7
7 S	40 E	WM	20	SW NW		2.6
7 S	40 E	WM	20	NW SW		32.0
7 S	40 E	WM	20	SW SW		32.0
7 S	40 E	WM	20	SE SW		35.0

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under the right.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interference.

The works shall be equipped with a usable access port, and may also include an air line and pressure gauge to determine the water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

Issued JUN 20 2014



Dwight W. French
Water Right Services Division Administrator, for
Director