

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SUNNYSIDE DAIRY, LLC  
4581 MAPLE GROVE ROAD  
SUNNYSIDE, WA 89844

confirms the right to use the waters of FIVE ROSSBERG WELLS, in the MALHEUR LAKE BASIN for IRRIGATION OF 300.8 ACRES.

This right was perfected under Permit G-144. The date of priority is FEBRUARY 14, 1956. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 3.76 CUBIC FEET PER SECOND (CFS), BEING 0.94 CFS FROM WELL 1, 0.94 CFS FROM WELL 2, 0.94 CFS FROM WELL 3, 0.16 CFS FROM WELL 4, AND 0.78 CFS FROM WELL 5, or its equivalent in case of rotation, measured at the wells.

The points of appropriation are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
24 S	34 E	WM	31	SE SE	WELL 1 – 780 FEET NORTH AND 170 FEET WEST FROM THE SE CORNER OF SECTION 31
24 S	34 E	WM	31	SE SE	WELL 2 – 1260 FEET NORTH AND 60 FEET WEST FROM THE SE CORNER OF SECTION 31
24 S	34 E	WM	31	NW SW	WELL 3 – 1410 FEET NORTH AND 1020 FEET EAST FROM THE SW CORNER OF SECTION 31
24 S	34 E	WM	31	SW NE	WELL 4 – 3480 FEET NORTH AND 2660 FEET EAST FROM THE SW CORNER OF SECTION 31
24 S	34 E	WM	31	NE NW	WELL 5 – 3950 FEET NORTH AND 1320 FEET EAST FROM THE SW CORNER OF SECTION 31

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or 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.

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION WELLS 2, 3, 4, AND 5						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
24 S	34 E	WM	31	NE NW		35.9
24 S	34 E	WM	31	NW NW	1	37.2
24 S	34 E	WM	31	SW NW	2	37.0
24 S	34 E	WM	31	SE NW		38.5
TOTAL						148.6

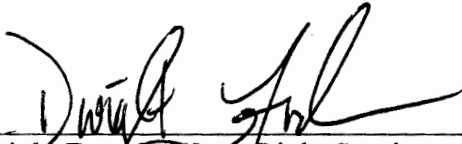
IRRIGATION WELLS 1, 2, 3, 4, AND 5						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
24 S	34 E	WM	31	NE SW		39.2
24 S	34 E	WM	31	NW SW	3	36.5
24 S	34 E	WM	31	SW SW	4	36.9
24 S	34 E	WM	31	SE SW		39.6
TOTAL						152.2

This certificate is issued in accordance with OAR 690-380-6010 to describe the water right for non-completed additional points of appropriation approved by an order of the Water Resources Director entered June 27, 2007, at Special Order Volume 72, Pages 514-518, approving Transfer Application T-10149 and supersedes Certificate 36878, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed JAN 26 2015.



Dwight French, Water Right Services Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department