

STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THREEMILE CANYON FARMS LLC
75906 THREEMILE RD
BOARDMAN OR 97818

confirms the right to the use of water perfected under the terms of Permit G-13820. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the well(s). The specific limits and conditions of the use are listed below.

SOURCE OF WATER: THREE WELLS IN GRANDE RONDE RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 468.5 ACRES

MAXIMUM RATE: NOT TO EXCEED A MAXIMUM CUMULATIVE TOTAL OF 5.85 CUBIC FEET PER SECOND (CFS), FURTHER LIMITED TO NO MORE THAN 3.99 CFS FROM WELL 1, 1.87 CFS FROM WELL 2, AND 3.34 CFS FROM WELL 3

PERIOD OF USE: MAY 1 THROUGH OCTOBER 15

DATE OF PRIORITY: JULY 16, 1997

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 S	38 E	WM	13	SW SW	WELL 1 – PIERCE ROAD WELL (ORIGINAL) - 1280 FEET NORTH AND 80 FEET EAST FROM SW CORNER, SECTION 13
3 S	38 E	WM	14	NE SW	WELL 2 – COOPER WELL (ORIGINAL) - 2520 FEET NORTH AND 2769 FEET WEST FROM SE CORNER, SECTION 14
3 S	39 E	WM	17	SE NW	WELL 3 (ADDITIONAL) - 1900 FEET SOUTH AND 2620 FEET EAST FROM NW CORNER, SECTION 17

The amount of water used for irrigation, 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.

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

Twp	Rng	Mer	Sec	Q-Q	Acres
3 S	38 E	WM	13	NE SW	40.0
3 S	38 E	WM	13	NW SW	39.1
3 S	38 E	WM	13	SW SW	38.2
3 S	38 E	WM	13	SE SW	39.1
3 S	38 E	WM	13	NE SE	40.0

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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, 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.

Twp	Rng	Mer	Sec	Q-Q	Acres
3 S	38 E	WM	13	NW SE	40.0
3 S	38 E	WM	13	SW SE	36.6
3 S	38 E	WM	13	SE SE	39.1
3 S	38 E	WM	14	NE SE	39.1
3 S	38 E	WM	14	NW SE	40.0
3 S	38 E	WM	14	SW SE	39.1
3 S	38 E	WM	14	SE SE	38.2

Measurement, recording and reporting conditions for Well 1 and Well 2:

- A. The water users 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 users to report general water-use information, including the place and nature of use of water under the right.
- B. The water users 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.

Groundwater use measurement conditions for Well 3:

- A. The water user shall maintain a totalizing flow meter or other suitable measuring device as approved by the Director in good working order at each point of appropriation (new and existing).
- B. The water user shall allow the watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are 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.

Use of water under authority of this right may be regulated if analysis of data available after the right is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

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 quantity of water diverted at the additional point of appropriation, together with that diverted at the original points of

appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.

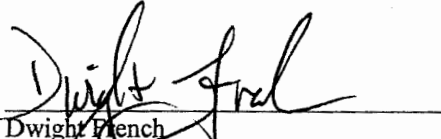
Water shall be acquired from the same aquifer (water source) as the original points of appropriation.

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

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

This certificate is issued to confirm AN ADDITIONAL POINT OF APPROPRIATION approved by an order of the Water Resources Director entered APRIL 10, 2015, at Special Order Volume 95, Page 535, approving Transfer Application 11830, and together with Certificate 90123, supersedes Certificate 89059, State record of Water Right Certificates.

Issued JAN 05 2017



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