

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TOM DAVIS LIVESTOCK, INC.
42970 KUENY RANCH LANE
PRINCETON, OR 97721

confirms the right to use the waters of WELL 1, WELL 3, WELL 4, WELL 5, AND WELL 6 in the MALHEUR LAKE BASIN for PRIMARY of 152.0 ACRES, AND SUPPLEMENTAL IRRIGATION of 2829.5 ACRES.

This right was perfected under Permit G-9529. The date of priority is SEPTEMBER 2, 1981. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 21.83 CUBIC FEET PER SECOND (CFS), BEING 4.366 CFS FROM EACH WELL or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

Well	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1	35 S	33 E	WM	26	NE SW	2660 FEET SOUTH AND 2640 FEET WEST FROM NE CORNER, SECTION 26
3	35 S	33 E	WM	35	NE NE	5 FEET SOUTH AND 5 FEET WEST FROM NE CORNER, SECTION 35
4	35 S	33 E	WM	35	SW NE	100 FEET NORTH AND 100 FEET EAST FROM CENTER SECTION 35
5	35 S	33 E	WM	35	SE SW	1240 FEET NORTH AND 2640 FEET EAST FROM SW CORNER, SECTION 35
6	36 S	33 E	WM	9	SE SE	10 FEET NORTH AND 1300 FEET WEST FROM SE CORNER, SECTION 9

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 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 be further limited to appropriation of water only to the extent that it does not impair or substantially interfere with existing surface water rights of others, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein. 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.

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

IRRIGATION FROM WELL 6					
Twp	Rng	Mer	Sec	Q-Q	Acres
36 S	33 E	WM	10	NE SW	4.5
36 S	33 E	WM	10	NW SW	28.3
36 S	33 E	WM	10	SW SW	38.5
36 S	33 E	WM	10	SE SW	9.0
36 S	33 E	WM	15	NW NW	20.0
36 S	33 E	WM	15	SW NW	20.0
36 S	33 E	WM	15	NW SW	21.9
36 S	33 E	WM	15	SW SW	9.8
Total					152.0

SUPPLEMENTAL IRRIGATION – WELL 1					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	33 E	WM	26	SE SW	1.7
35 S	33 E	WM	26	SW SE	6.6
35 S	33 E	WM	35	NW NE	28.9
35 S	33 E	WM	35	SW NE	28.9
35 S	33 E	WM	35	NE NW	15.8
35 S	33 E	WM	35	SE NW	39.7
Total					121.6

SUPPLEMENTAL IRRIGATION – WELLS 1 AND 3					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	33 E	WM	35	SW NE	8.3
35 S	33 E	WM	35	SE NE	0.5
35 S	33 E	WM	35	NE SE	12.8
35 S	33 E	WM	35	NW SE	16.1
Total					37.7

SUPPLEMENTAL IRRIGATION – WELLS 1 AND 4					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	33 E	WM	35	NE SW	40.0
35 S	33 E	WM	35	NW SE	23.9
Total					63.9

SUPPLEMENTAL IRRIGATION – WELLS 1, 4, AND 5						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
35 S	33 E	WM	35	SE SW		40.0
35 S	33 E	WM	35	SW SE		15.8
36 S	33 E	WM	2	NW NE	2	12.7
36 S	33 E	WM	2	SW NE		10.0
36 S	33 E	WM	2	NE NW	3	40.0
36 S	33 E	WM	2	NW NW	4	40.0
36 S	33 E	WM	2	SW NW		35.5
36 S	33 E	WM	2	SE NW		40.0
36 S	33 E	WM	2	NE SW		40.0

SUPPLEMENTAL IRRIGATION – WELLS 1, 4, AND 5						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
36 S	33 E	WM	2	NW SW		40.0
36 S	33 E	WM	2	SW SW		33.0
36 S	33 E	WM	2	SE SW		23.8
36 S	33 E	WM	2	NW SE		5.5
36 S	33 E	WM	3	NE NE	1	40.0
36 S	33 E	WM	3	NW NE	2	9.5
36 S	33 E	WM	3	SW NE		26.8
36 S	33 E	WM	3	SE NE		40.0
36 S	33 E	WM	3	NE SW		9.0
36 S	33 E	WM	3	SE SW		27.0
36 S	33 E	WM	3	NE SE		40.0
36 S	33 E	WM	3	NW SE		40.0
36 S	33 E	WM	3	SW SE		40.0
36 S	33 E	WM	3	SE SE		38.2
36 S	33 E	WM	10	NE NE		39.5
36 S	33 E	WM	10	NW NE		34.1
36 S	33 E	WM	10	SW NE		38.0
36 S	33 E	WM	10	SE NE		39.3
36 S	33 E	WM	10	NE NW		10.8
36 S	33 E	WM	10	SE NW		12.2
36 S	33 E	WM	10	NE SE		40.0
36 S	33 E	WM	10	NW SE		32.4
36 S	33 E	WM	10	SW SE		37.1
36 S	33 E	WM	10	SE SE		40.0
36 S	33 E	WM	11	NE NW		27.8
36 S	33 E	WM	11	NW NW		40.0
36 S	33 E	WM	11	SW NW		40.0
36 S	33 E	WM	11	SE NW		14.3
36 S	33 E	WM	11	NE SW		18.3
36 S	33 E	WM	11	NW SW		40.0
36 S	33 E	WM	11	SW SW		40.0
36 S	33 E	WM	11	SE SW		40.0
36 S	33 E	WM	14	NE NW		32.4
36 S	33 E	WM	14	NW NW		29.1
36 S	33 E	WM	14	SW NW		22.5
36 S	33 E	WM	14	SE NW		22.7
36 S	33 E	WM	14	NE SW		22.0
36 S	33 E	WM	14	NW SW		25.0
36 S	33 E	WM	14	SW SW		9.3
36 S	33 E	WM	14	SE SW		9.0
36 S	33 E	WM	15	NE NE		39.0
36 S	33 E	WM	15	NW NE		8.9
36 S	33 E	WM	15	SE NE		9.4
36 S	33 E	WM	15	NE SE		2.4
36 S	33 E	WM	15	SE SE		1.0
					Total	1503.3

SUPPLEMENTAL IRRIGATION – WELLS 1, 3, AND 5						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
35 S	33 E	WM	35	SW SE		24.2
35 S	33 E	WM	35	SE SE		25.9
35 S	33 E	WM	36	SW SW		6.0
36 S	33 E	WM	1	NE NW	3	0.3
36 S	33 E	WM	1	NW NW	4	36.1
36 S	33 E	WM	1	SW NW		35.8
36 S	33 E	WM	1	NE SW		0.3
36 S	33 E	WM	1	NW SW		34.6
36 S	33 E	WM	1	SW SW		29.9
36 S	33 E	WM	1	SE SW		14.3
36 S	33 E	WM	2	NE NE	1	40.2
36 S	33 E	WM	2	NW NE	2	27.3
36 S	33 E	WM	2	SW NE		24.7
36 S	33 E	WM	2	SE NE		40.0
36 S	33 E	WM	2	NE SE		30.5
36 S	33 E	WM	2	NW SE		10.8
36 S	33 E	WM	2	SW SE		30.3
36 S	33 E	WM	2	SE SE		27.9
36 S	33 E	WM	11	NE NE		8.5
36 S	33 E	WM	11	NW NE		11.5
36 S	33 E	WM	11	SW NE		17.6
36 S	33 E	WM	11	SE NE		15.1
36 S	33 E	WM	11	NE NW		1.4
36 S	33 E	WM	11	SE NW		2.1
36 S	33 E	WM	11	NE SW		10.0
36 S	33 E	WM	11	NE SE		34.2
36 S	33 E	WM	11	NW SE		32.6
36 S	33 E	WM	11	SW SE		20.9
36 S	33 E	WM	11	SE SE		24.2
36 S	33 E	WM	12	NW NE		0.9
36 S	33 E	WM	12	SW NE		6.4
36 S	33 E	WM	12	NE NW		19.5
36 S	33 E	WM	12	NW NW		36.3
36 S	33 E	WM	12	SW NW		37.8
36 S	33 E	WM	12	SE NW		35.2
36 S	33 E	WM	12	NE SW		15.7
36 S	33 E	WM	12	NW SW		25.8
36 S	33 E	WM	12	SW SW		7.2
36 S	33 E	WM	12	SE SW		3.0
36 S	33 E	WM	12	NW SE		0.2
36 S	33 E	WM	13	NE NW		4.6
36 S	33 E	WM	13	NW NW		22.0
36 S	33 E	WM	13	SW NW		35.7
36 S	33 E	WM	13	SE NW		13.0
36 S	33 E	WM	13	NE SW		9.8
36 S	33 E	WM	13	NW SW		21.5
36 S	33 E	WM	14	NE NE		11.2
36 S	33 E	WM	14	NW NE		25.5

SUPPLEMENTAL IRRIGATION – WELLS 1, 3, AND 5						
36 S	33 E	WM	14	SW NE		8.7
36 S	33 E	WM	14	SE NE		14.0
36 S	33 E	WM	14	NE SE		13.7
36 S	33 E	WM	14	NW SE		3.0
Total						987.9

SUPPLEMENTAL IRRIGATION – WELLS 1, 4, 5, AND 6					
Twp	Rng	Mer	Sec	Q-Q	Acres
36 S	33 E	WM	10	NE SW	24.6
36 S	33 E	WM	10	SE SW	4.5
36 S	33 E	WM	15	NE SW	23.4
36 S	33 E	WM	15	NW SW	13.4
36 S	33 E	WM	15	SW SW	25.2
36 S	33 E	WM	15	SE SW	24.5
Total					115.6

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the wells at all times.

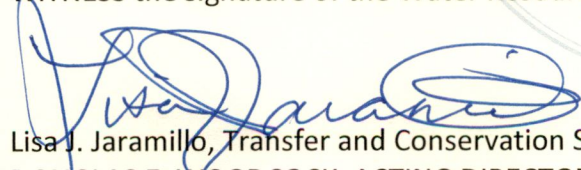
The water user shall install and maintain a weir, meter, or other suitable measuring device and keep a complete record of the amount of ground water withdrawn.

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

This certificate describes that portion of water right Certificate 84245, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JAN 19 2024, approving Transfer Application T-12986.

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.

WITNESS the signature of the Water Resources Director, affixed JAN 19 2024.



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department