

STATE OF OREGON
 COUNTY OF HARNEY
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RATTLESNAKE CREEK LAND AND CATTLE CO LLC
 ANDY ROOT
 524 HWY 20 N
 HINES OR 97738

confirms the right to use the waters of SEVEN WELLS in Harney Lake Basin for IRRIGATION of 393.5 ACRES.

This right was perfected under Permit G-12841. The date of priority is JULY 20, 1995. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 4.92 CUBIC FEET PER SECOND (CFS) or its equivalent in case of rotation, in any combination from the wells, further limited to the following rates per well:

Well	Rate in cfs
7	1.30 cfs
10	4.92 cfs
11	4.92 cfs
12	4.92 cfs
13	2.40 cfs
14	4.92 cfs
15	4.92 cfs

The period of use is March 1 through October 31.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
25 S	30 E	WM	34	SE SW		WELL 7 - 4725 FEET SOUTH AND 1877 FEET EAST FROM NW CORNER, SECTION 34
26 S	30 E	WM	3	NW NW	4	WELL 10 - 6310 FEET SOUTH AND 415 FEET EAST FROM NW CORNER, SECTION 34
26 S	30 E	WM	3	NW NW	4	WELL 11 - 6340 FEET SOUTH AND 330 FEET EAST FROM NW CORNER, SECTION 34
25 S	30 E	WM	33	SE NW		WELL 12 - 2690 FEET SOUTH AND 2890 FEET WEST FROM NE CORNER, SECTION 33
26 S	30 E	WM	4	NE NW	3	WELL 13 - 6415 FEET SOUTH AND 2745 FEET WEST FROM NE CORNER, SECTION 33
25 S	30 E	WM	33	SE SE		WELL 14 - 4314 FEET SOUTH AND 870 FEET WEST FROM NE CORNER, SECTION 33
25 S	30 E	WM	33	SE SE		WELL 15 - 4314 FEET SOUTH AND 920 FEET WEST FROM NE CORNER, SECTION 33

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.

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 per acre for each acre irrigated during the irrigation season of each year.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	30 E	WM	28	NW SW	30.8
25 S	30 E	WM	28	SW SW	33.6
25 S	30 E	WM	29	NE SE	33.6
25 S	30 E	WM	29	NW SE	2.6
25 S	30 E	WM	29	SW SE	3.5
25 S	30 E	WM	29	SE SE	38.0
25 S	30 E	WM	32	NE NE	34.9
25 S	30 E	WM	32	NW NE	31.1
25 S	30 E	WM	32	SW NE	31.0
25 S	30 E	WM	32	SE NE	31.2
25 S	30 E	WM	33	NE NW	30.0
25 S	30 E	WM	33	NW NW	32.9
25 S	30 E	WM	33	SW NW	30.2
25 S	30 E	WM	33	SE NW	30.1

Measurement, recording and reporting conditions:

- A. The water user shall maintain the totalizing flow meters, or other suitable measuring device approved by the Director, 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 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.

The quantity of water diverted at the additional points of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	30 E	WM	33	NE NW	1317 FEET SOUTH & 1355 FEET EAST FROM NW CORNER, SECTION 33

If substantial interference with a senior water right occurs due to withdrawal of water from the well listed on this right, then use of water from the well 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 interferences.

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

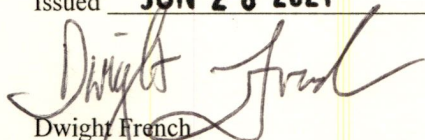
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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.

This certificate is issued to confirm a change in ADDITIONAL POINTS OF APPROPRIATION approved by an order of the Water Resources Director entered December 2, 2014, at Special Order Volume 93, Page 914, approving Transfer Application T-11733, and supercedes Certificate 88990, State record of Water Right Certificates.

Issued **JUN 28 2021**



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

