

STATE OF OREGON  
 COUNTY OF HARNEY  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PHASE 3 FARMS INC.  
 41771 SODHOUSE LANE  
 PRINCETON OR 97721

V DASH CATTLE CO.  
 68281 CRANE BUCHANAN RD  
 BURNS OR 97720

confirms the right to the use of water perfected under the terms of Permit U-724. 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: WELL #1, WELL #2, WELL #3, AND WELL #4 IN THE MALHEUR LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 106.4 ACRES

MAXIMUM RATE: 1.33 CUBIC FEET PER SECOND

DATE OF PRIORITY: APRIL 29, 1955

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
26 S	33 E	WM	27	SE SW		WELL #4 (ADDITIONAL) - 440 FEET NORTH AND 50 FEET WEST FROM S1/4 CORNER, SECTION 27
26 S	33 E	WM	27	SW SE		WELL #3 (ADDITIONAL) - 40 FEET NORTH AND 1685 FEET WEST FROM SE CORNER, SECTION 27
26 S	33 E	WM	34	SW NE		WELL #2 (ADDITIONAL) - 70 FEET NORTH AND 90 FEET EAST FROM C1/4 CORNER, SECTION 34
27 S	33 E	WM	2	NW NW	4	WELL #1 (ORIGINAL) - 325 FEET SOUTH AND 690 FEET EAST FROM NW CORNER, SECTION 2

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.

**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.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	33 E	WM	27	SW SW	0.1
26 S	33 E	WM	27	SE SW	4.7
26 S	33 E	WM	34	NE NW	7.5
26 S	33 E	WM	35	NE SW	31.2
26 S	33 E	WM	35	NW SW	31.5
26 S	33 E	WM	35	SW SW	31.4

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 from the original point of appropriation.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this water right, then use of water from the wells 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 water user shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

Dedicated Measuring Tube: Wells with pumps shall be equipped with a minimum 3/4-inch diameter, unobstructed, dedicated measuring tube pursuant to figure 200-5 in OAR 690-200.

Water use measurement conditions:

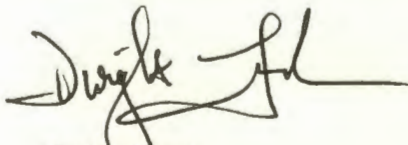
- A. The water user shall maintain the totalizing flow meters or measuring devices, as approved by the Director, in good working order, at each point of appropriation (new and existing).
- B. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

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

The right to the use of the water for purposes aforesaid is restricted to the lands or place of use herein described.

This certificate is issued to confirm a change in PLACE OF USE AND ADDITIONAL POINT OF APPROPRIATIONS approved by an order of the Water Resources Director entered September 7, 2016, at Special Order Volume 101, Page 781, approving Transfer Application T-12138, supercedes Certificate 90729, State record of Water Right Certificates.

Issued OCT 21 2022



Dwight French  
Water Right Services Division Administrator, for  
Douglas E. Woodcock, Acting Director  
Oregon Water Resources Department