

STATE OF OREGON
 COUNTY OF HARNEY
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SUNNYSIDE DAIRY LLC
 4581 MAPLE GROVE RD
 SUNNYSIDE WA 98944

confirms the right to use the waters of TWO WELLS, in the HOT SPRINGS SLOUGH BASIN for IRRIGATION of 182.6 ACRES.

This right was perfected under Permit G-12027. The date of priority is APRIL 23, 1993. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 2.28 CUBIC FEET PER SECOND (CFS), FURTHER LIMITED TO 2.06 CFS FROM WELL 6 AND 2.28 CFS FROM WELL 7, NOT TO EXCEED A CUMULATIVE TOTAL OF 2.28 CFS FROM THE WELLS IN ANY COMBINATION, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
23 S	33 E	WM	33	SE SE	WELL 7 (HARN 621) - NEW - 80 FEET NORTH AND 400 FEET WEST FROM SE CORNER, SECTION 33
23 S	33 E	WM	34	NW NW	WELL 6 (HARN 52027) - NEW - 25 FEET SOUTH AND 285 FEET EAST FROM NW CORNER, SECTION 34

The amount of water used for irrigation under this right, 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 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The period of allowed use is March 1 through October 31.

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

Twp	Rng	Mer	Sec	Q-Q	Acres
23 S	33 E	WM	33	NE SE	30.9
23 S	33 E	WM	33	SE SE	29.3
23 S	33 E	WM	33	SE SE	1.4
23 S	33 E	WM	34	NE SW	30.8
23 S	33 E	WM	34	NW SW	29.8
23 S	33 E	WM	34	SW SW	29.8
23 S	33 E	WM	34	SE SW	30.6

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 wells 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 adequate to determine water level elevation in the well at all times.

Water use measurement conditions:

- A. The water user shall maintain the totalizing flow meter or other suitable measuring device as approved by the Director in good working order at each point of appropriation, 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.
- 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 water user shall report a March static water level in the well(s) to the Groundwater Hydrology Section of the Water Resources Department by April 15 of each year. The measurement shall be made and calculations detailed by a certified water rights examiner, registered professional geologist, certified engineering geologist, professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board. Measurements and calculations shall be provided to the Department on forms provided by the Department and shall be certified as to their accuracy by the individual making the measurement.

Use of water from the well(s) shall not be allowed if well(s) displays an (A) average water level decline of 3 or more feet per year for 5 consecutive years; or (B) a water level decline of 15 or more feet in fewer than 5 consecutive years; or (C) a water level decline of 25 or more feet; or (D) a hydraulic interference decline of 25 or more feet in any neighboring well with senior priority which provides water for an authorized use.

The Water Resources Department has determined that the initial water level in the well(s) is those of the March 21, 2016, report. That is the level from which cited declines in (A), (B) and (C) above will be referenced. The reference levels are 37.10 feet below land surface (BLS) for Well 6 (HARN 52027) and 44.07 feet BLS for Well 7 (HARN 621).

The quantity of water diverted at the new points of appropriation (Well 6 and Well 7), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 8) described as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
24 S	34 E	WM	30	SW SW	4	WELL 8 (ORIGINAL) - 1310 FEET NORTH AND 153 FEET EAST FROM SW CORNER, SECTION 30

Water shall be acquired from the same aquifer (water source) as 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 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 interferences.

The Director may require water level or pump 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.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in certificate 84202.

This certificate is issued to confirm changes in POINTS OF APPROPRIATION AND PLACE OF USE approved by an order of the Water Resources Director entered NOVEMBER 28, 2022, at Special Order Volume 127, Page 77, approving Transfer Application T-13756, supersedes Certificate 84202, State Record of Water Right Certificates.

Issued JUN 14 2024.



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

