

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 MALHEUR LAKE BASIN for IRRIGATION of 300.8 ACRES.

This right was perfected under Permit G-144. The date of priority is FEBRUARY 14, 1956. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 3.76 CUBIC FEET PER SECOND (CFS), BEING 2.06 CFS FROM WELL 6 AND 3.76 CFS FROM WELL 7, NOT TO EXCEED A CUMULATIVE TOTAL OF 3.76 CFS FROM THE WELLS IN ANY COMBINATION, or its equivalent in case of rotation, measured at the wells.

The points of appropriation 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, 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.

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 NE	31.3
23 S	33 E	WM	33	NW NE	30.0
23 S	33 E	WM	33	SW NE	29.4
23 S	33 E	WM	33	SE NE	30.6
23 S	33 E	WM	33	NW SE	30.0
23 S	33 E	WM	33	SW SE	29.8
23 S	33 E	WM	34	NE NW	32.8
23 S	33 E	WM	34	NW NW	31.0
23 S	33 E	WM	34	SW NW	27.1
23 S	33 E	WM	34	SE NW	28.8

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.

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 (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.

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 points of appropriation (Well 1, Well 2, Well 3, Well 4, and Well 5) described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
24 S	34 E	WM	31	SE SE	WELL 1 (ORIGINAL) – 780 FEET NORTH AND 170 FEET WEST FROM SE CORNER, SECTION 31
24 S	34 E	WM	31	SE SE	WELL 2 (ORIGINAL) – 1260 FEET NORTH AND 60 FEET WEST FROM SE CORNER, SECTION 31
24 S	34 E	WM	31	NW SW	WELL 3 (ORIGINAL) – 1410 FEET NORTH AND 1020 FEET EAST FROM SW CORNER, SECTION 31
24 S	34 E	WM	31	SW NE	WELL 4 (ORIGINAL) – 3480 FEET NORTH AND 2660 FEET EAST FROM SW CORNER, SECTION 31
24 S	34 E	WM	31	NE NW	WELL 5 (ORIGINAL) – 3950 FEET NORTH AND 1320 FEET EAST FROM SW CORNER, SECTION 31

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

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 89855.

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 89855, 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