



State of Oregon
 Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900

Application for Water Right Temporary or Drought Temporary Transfer

Part 1 of 5 – Minimum Requirements Checklist

This temporary transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.
 For questions, please call (503) 986-0900, and ask for Transfer Section.

FOR ALL TEMPORARY TRANSFER APPLICATIONS RECEIVED

Check all items included with this application. (N/A = Not Applicable)

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- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Temporary Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 2 List them here: Certificates 84202, 89855 - Attachment 5**
 Please include a separate Part 5 for each water right. (See instructions on page 6)
- N/A For standard Temporary Transfer (one to five years) **Begin Year 2020 End Year 2024.**
- N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

- Completed Temporary Transfer Application Map. **Attachment 1**
- Completed Evidence of Use Affidavit and supporting documentation. **Attachment 2**
- Current recorded deed for the land **from** which the authorized place of use is temporarily being moved. **Attachment 3**
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- N/A Supplemental Form D – For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the district.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone. **Land Use form on file for Application G-17638 – received from agent 6/5/19 AD**
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation (if necessary to convey water to the proposed place of use). **Attachment 4**

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(For Staff Use Only)

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

<input type="checkbox"/> Application fee not enclosed/insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Part _____ is incomplete
<input type="checkbox"/> Additional signature(s) required	

Part 2 of 5 – Temporary Transfer Application Map Checklist

Your temporary transfer application will be returned if any of the map requirements listed below are not met.

Please be sure that the temporary transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the ~~scale of~~ the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- N/A Proposed temporary place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- N/A If you are proposing a change in point(s) of diversion or well(s) to convey water to the new temporary place of use, show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

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Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$810.00
2	Number of water rights included in transfer <u>2 (2a)</u> Subtract 1 from the number in 3a above: <u>1 (2b)</u> <i>If only one water right this will be 0</i> Multiply line 2b by \$260.00 and enter » » » » » » » » » » » » » » » »	2	\$260.00
3	Do you propose to change the place of use for a non-irrigation use? <input checked="" type="checkbox"/> No: enter 0 on line 4 » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: _____ (4a) Subtract 1.0 from the number in 4a above: _____ (4b) If 4b is 0, enter 0 on line 4 » » » » » » » » » » » » » » » » If 4b is greater than 0, round up to the nearest whole number: _____ (4c) and multiply 4c by \$200.00, then enter on line 4 (or \$0.50 if submitted in a Department approved digital format) » » » » » » » » » »	4	0
4	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 5 » » » » » » » » » » » » » » » » <input checked="" type="checkbox"/> Yes: enter the number of acres for the portions of the rights to be transferred: <u>484 (5a)</u> Multiply the number of acres in 5a above by \$2.30 and enter on line 5 » »	5	\$1,113.20
5	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	\$2,183.20
6	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » » » »	7	0
7	Subtract line 7 from line 6 » » » » » » » » » » » » » » » » Transfer Fee:	8	\$2,183.20

FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS			
1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1	\$200.00
2	Enter the cfs for the portions of the rights to be transferred (see example below*): _____ (2a) Subtract 1.0 from the number in 2a above: _____ (2b) If 2b is 0, enter 0 on line 2 » » » » » » » » » » » » » » » » If 2b is greater than 0, round up to the nearest whole number: _____ (2c) and multiply 2c by \$50, then enter on line 2 » » » » » » » » » »	2	NA
3	Add entries on lines 1 through 2 above » » » » » » » » » » Transfer Fee::	3	NA

**Example for Line 2a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:*

1. Divide total authorized cfs by total acres in the water right (for C12345, $1.25 \text{ cfs} \div 100 \text{ ac}$); then multiply by the number of acres to be transferred to get the transfer cfs ($x 45 \text{ ac} = 0.56 \text{ cfs}$).
2. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$)
3. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land**. The fee should be assessed only once for each "on the ground" acre included in the transfer. (In this example, blank 2a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0).

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Rosalio Brambila/ Sunnyside Dairy, LLC			PHONE NO. (509) 837- 4779	ADDITIONAL CONTACT NO. NA
ADDRESS 4581 Maple Grove Road			FAX NO. NA	
CITY Sunnyside	STATE WA	ZIP 89844	E-MAIL rosalio@oordairy.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

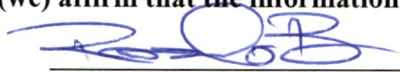
AGENT/BUSINESS NAME Molly Reid/ GeoEngineers, Inc.			PHONE NO. (509) 209-2846	ADDITIONAL CONTACT NO. (541) 310-7264 (cell)
ADDRESS 8019 W. Quinault Avenue, Suite 201			FAX NO. NA	
CITY Kennewick	STATE WA	ZIP 99336	E-MAIL mrleid@geoengineers.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application; and why:
Propose to temporarily change the place of use and points of appropriation to cover new lands while awaiting a groundwater permit.

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars) **NA**

I (we) affirm that the information contained in this application is true and accurate.


 Applicant signature

Rosalio Brambila (manager)
 Print Name (and Title if applicable)

5-30-19
 Date

 Applicant signature

 Print Name (and Title if applicable)

 Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No

If NO, include signatures of all landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) has been conveyed.

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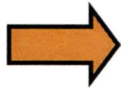
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Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.)

DISTRICT NAME NA	ADDRESS	
CITY	STATE	ZIP

Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME NA	ADDRESS	
CITY	STATE	ZIP



To meet State Land Use Consistency Requirements, you must list all local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME Harney County Planning Department	ADDRESS 450 North Buena Vista Avenue	
CITY Burns	STATE Oregon	ZIP 97720

ENTITY NAME NA	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

Description of Water Delivery System

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System capacity: 3.76 cubic feet per second (cfs) **OR**
 _____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **60hp, 40hp, 30hp and 25hp submersible pumps at the wells – water is pumped into 8-inch and 6-inch above-ground mainlines, to center pivots, and to above ground mainlines with handlines.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1071	24	S	34	E	31	SE	SE	1901	780'N and 170'W from the SE corner of Section 31
Well 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1072	24	S	34	E	31	SE	SE	1901	1260'N and 60'W from the SE corner of Section 31
Well 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1069	24	S	34	E	31	NW	SW	1800	1410'N and 1020'E from the SE corner of Section 31
Well 4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1067	24	S	34	E	31	SW	NE	1901	3480'N and 2660'E from the SW corner of Section 31
Well 5	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1068	24	S	34	E	31	NE	NW	1800	3950'N and 1320'E from the SW corner of Section 31
Well 6	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 52027	23	S	33	E	34	NW	NW	5901	25'S and 258'E from the NW corner of Section 34
Well 7	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 621	23	S	33	E	33	SE	SE	5901	80'N and 400'W from the SE corner of Section 33

Check all type(s) of temporary change(s) proposed below (change “CODES” are provided in parentheses):

- | | |
|---|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input checked="" type="checkbox"/> Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | |

Check all type(s) of temporary change(s) due to drought proposed below (change “CODES” are provided in parentheses): Non-Applicable

- | | |
|---|---|
| <input type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |

Point of Diversion (POD)

Additional Point of Diversion (APOD)

Will all of the proposed changes affect the entire water right?

Yes Complete only the Proposed (“to” lands) section of Table 2 on the next page. Use the “CODES” listed above to describe the proposed changes.

No Complete all of Table 2 to describe the portion of the water right to be changed.

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Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Temporary Changes to Water Right Certificate # 89855

List only the part of the right that will be changed. For the acreage in each 1/4 1/4, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands)										PROPOSED (the "to" or "on" lands)											
The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	1/4 1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Proposed Changes (see "CODES" from previous page)	Twp	Rng	Sec	1/4 1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s) to be used (from Table 1)	Priority Date	
24 S	34 E	31	NE NW	1800		35.9	Irrigation	POA # 2, 3, 4, 5	1956	POU/POA	23 S	33 E	33	NE NE	5901		31.3	Irrigation	POA # 6,7	1956	
24 S	34 E	31	NW NW	1800	1	37.2	Irrigation	POA # 2, 3, 4, 5	1956	POU/POA	23 S	33 E	33	NW NE	5901		30.0	Irrigation	POA # 6,7	1956	
24 S	34 E	31	SW NW	1800	2	37.0	Irrigation	POA # 2, 3, 4, 5	1956	POU/POA	23 S	33 E	33	SW NE	5901		29.4	Irrigation	POA # 6,7	1956	
24 S	34 E	31	SE NW	1800		38.5	Irrigation	POA # 2, 3, 4, 5	1956	POU/POA	23 S	33 E	33	SE NE	5901		30.6	Irrigation	POA # 6,7	1956	
24 S	34 E	31	NE SW	1800		39.2	Irrigation	POA # 1, 2, 3, 4, 5	1956	POU/POA	23 S	33 E	33	NW SE	5901		30.0	Irrigation	POA # 6,7	1956	
24 S	34 E	31	NW SW	1800	3	36.5	Irrigation	POA # 1, 2, 3, 4, 5	1956	POU/POA	23 S	33 E	33	SW SE	5901		29.8	Irrigation	POA # 6,7	1956	
24 S	34 E	31	SW SW	1800	4	36.9	Irrigation	POA # 1, 2, 3, 4, 5	1956	POU/POA	23 S	33 E	34	NE NW	5901		32.8	Irrigation	POA # 6,7	1956	
24 S	34 E	31	SE SW	1800		39.6	Irrigation	POA # 1, 2, 3, 4, 5	1956	POU/POA	23 S	33 E	34	NW NW	5901		31.0	Irrigation	POA # 6,7	1956	
											23 S	33 E	34	SW NW	5901		27.1	Irrigation	POA # 6,7	1956	
											23 S	33 E	34	SE NW	5901		28.8	Irrigation	POA # 6,7	1956	
TOTAL ACRES										300.8	TOTAL ACRES										300.8

Additional remarks: NA.

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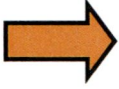
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For Place of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the “from” or the “to” lands? Yes No

If YES, list the certificate, water use permit, or ground water registration numbers: C.84202

Pursuant to ORS 540.525, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540-610.



For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation if necessary to convey the water to the new temporary place of use:

- Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department’s web page at: http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

AND/OR

- Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide “a best estimate” for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right
Well 1	Yes	HARN 1071	132'	See	Well	Log				
Well 2	Yes	HARN 1072	128'	See	Well	Log				
Well 3	Yes	HARN 1069	110'	See	Well	Log				
Well 4	Yes	HARN 1067	305'	See	Well	Log				
Well 5	Yes	HARN 1068	503'	See	Well	Log				
Well 6	Yes	HARN 52027	500'	See	Well	Log				
Well 7	Yes	HARN 621	257'	See	Well	Log				

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Part 5 of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

Description of Water Delivery System

System capacity: 2.28 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Water is pumped from the well with a 40hp pump in 8-inch and 6-inch above ground mainlines to a center pivot, and from above ground mainlines to handlines.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 8	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	HARN 1061	24	S	34	E	30	SW	SW	1800	1310'N and 153'W from the SW corner of Section 30
Well 6	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 52027	23	S	33	E	34	NW	NW	5901	25'S and 258'E from the NW corner of Section 34
Well 7	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	HARN 621	23	S	33	E	33	SE	SE	5901	80'N and 400'W from the SE corner of Section 33

Check all type(s) of temporary change(s) proposed below (change "CODES" are provided in parentheses):

- | | |
|---|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input checked="" type="checkbox"/> Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | |

Check all type(s) of temporary change(s) due to drought proposed below (change "CODES" are provided in parentheses): Non-Applicable

- | | |
|---|---|
| <input type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Diversion (APOD) |

Will all of the proposed changes affect the entire water right?

- Yes Complete only the Proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Temporary Changes to Water Right Certificate # 84202

List only the part of the right that will be changed. For the acreage in each 1/4 1/4, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands)										PROPOSED (the "to" or "on" lands)											
The listing that appears on the certificate BEFORE PROPOSED CHANGES										The listing as it would appear AFTER PROPOSED CHANGES											
List only that part or portion of the water right that will be changed.										are made.											
Twp	Rng	Sec	1/4 1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Proposed Changes (see "CODES" from previous page)	Twp	Rng	Sec	1/4 1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date	
24 S	34 E	30	NE SW	1800		30.8	Irrigation	POA #8	1993	POU/POA	23 S	33 E	33	NE SE	5901		30.9	Irrigation	POA # 6, 7	1993	
24 S	34 E	30	NW SW	1800	3	27.2	Irrigation	POA #8	1993	POU/POA	23 S	33 E	33	SE SE	5901		29.3	Irrigation	POA # 6, 7	1993	
24 S	34 E	30	SW SW	1800	4	29.2	Irrigation	POA #8	1993	POU/POA	23 S	33 E	33	SE SE	5900		1.4	Irrigation	POA # 6, 7	1993	
24 S	34 E	30	SE SW	1800		35.2	Irrigation	POA #8	1993	POU/POA	23 S	33 E	34	NE SW	5900		30.8	Irrigation	POA # 6, 7	1993	
24 S	34 E	30	NW SE	1800		33.9	Irrigation	POA #8	1993	POU/POA	23 S	33 E	34	NW SW	5900		29.8	Irrigation	POA # 6, 7	1993	
24 S	34 E	30	SW SE	1800		24.1	Irrigation	POA #8	1993	POU/POA	23 S	33 E	34	SW SW	5900		29.8	Irrigation	POA # 6, 7	1993	
24 S	34 E	31	NW NE	1800		1.4	Irrigation	POA #8	1993	POU/POA	23 S	33 E	34	SE SW	5900		30.6	Irrigation	POA # 6, 7	1993	
24 S	34 E	31	NE NW	1800		0.6	Irrigation	POA #8	1993	POU/POA											
24 S	34 E	31	NW NW	1800	1	0.2	Irrigation	POA #8	1993	POU/POA											
TOTAL ACRES										182.6	TOTAL ACRES										182.6

Additional remarks: NA.

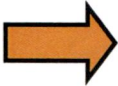
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For Place of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the “from” or the “to” lands? Yes No

If YES, list the certificate, water use permit, or ground water registration numbers: C.89855

Pursuant to ORS 540.525, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540-610.



For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation if necessary to convey the water to the new temporary place of use:

Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department’s web page at: http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

AND/OR

Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide “a best estimate” for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right
Well 8	Yes	HARN 1061	125'	See	Well	Log				
Well 6	Yes	HARN 52027	500'	See	Well	Log				
Well 7	Yes	HARN 621	257'	See	Well	Log				

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Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

- 13199 -

Land Use Information Form



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

Applicant(s): Sunnyside Dairy, LLC

Mailing Address: 4581 Maple Grove Road

City: Sunnyside

State: WA

Zip Code: 89844

Daytime Phone: (509) 837-4779

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<u>23S</u>	<u>33E</u>	<u>33</u>	<u>East half</u>	<u>5901</u>	_____	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>23S</u>	<u>33E</u>	<u>33</u>	<u>East half</u>	<u>5900</u>	_____	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>23S</u>	<u>33E</u>	<u>34</u>	<u>West half</u>	<u>5900</u>	_____	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>23S</u>	<u>33E</u>	<u>34</u>	<u>West half</u>	<u>5901</u>	_____	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Irrigation</u>

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Harney County

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
 Water Right Transfer
 Permit Amendment or Ground Water Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond Ground Water Surface Water (name) _____

Estimated quantity of water needed: 6.04 cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)
 Municipal Quasi-Municipal Instream Other _____

Briefly describe:

Propose to temporarily transfer water rights (Certificates 84202 and 89855) from one Sunnyside property to another Sunnyside property to accommodate a crop on new ground, while awaiting for issuance of a groundwater permit.

For Local Government Use Only

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The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): EPRV-1 & EPRV-2 // Hcz0 3.010 & 3.020
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: Brandon McMullen Title: Planning Director
 Signature: [Signature] Phone: 541.573.6655 Date: 6/5/2019
 Government Entity: Harney County

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

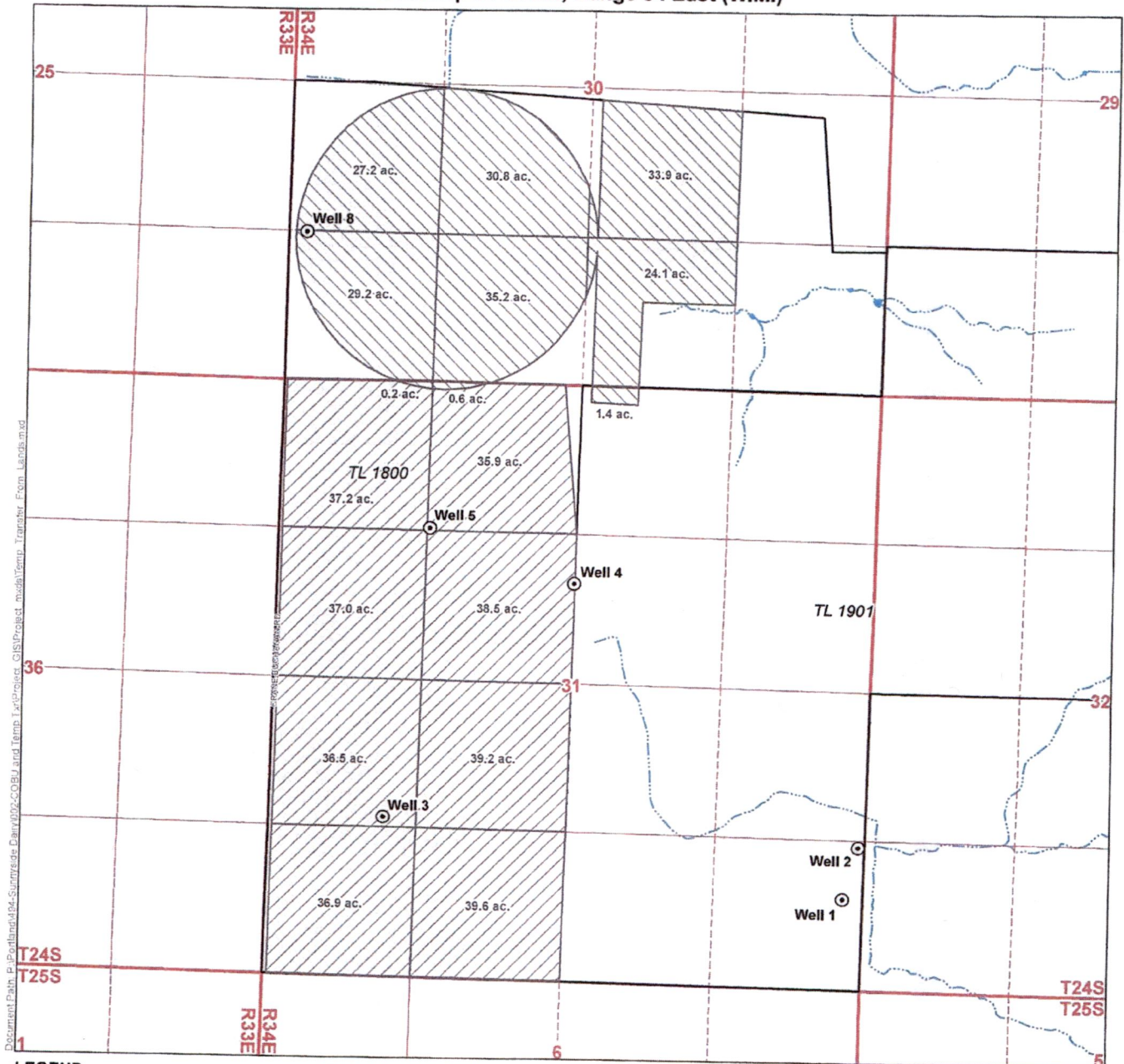
Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

Application for Temporary Transfer Sunnyside Dairy LLP FROM LANDS

13199

Certificate 84202 (Permit G-12027) and Certificate 89855 (Permit G-144)
Township 24 South, Range 34 East (W.M.)



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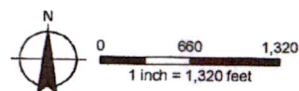
- Point of Appropriation (POA)
- Place of Use (POU)**
- ▨ Certificate 84202
- ▨ Certificate 89855
- All Other Features**
- Government Lots
- Tax Lots
- ☪ Waterbodies
- ~ Watercourses

POA LOCATION DESCRIPTIONS

- Well 1**
Located 780 feet North and 170 feet West from the SE corner of Section 31, Township 24 South, Range 34 East (W.M.)
- Well 2**
Located 1,260 feet North and 60 feet West from the SE corner of Section 31, Township 24 South, Range 34 East (W.M.)
- Well 3**
Located 1,410 feet North and 1,020 feet East from the SW corner of Section 31, Township 24 South, Range 34 East (W.M.)
- Well 4**
Located 3,480 feet North and 2,660 feet East from the SW corner of Section 31, Township 24 South, Range 34 East (W.M.)
- Well 5**
Located 3,950 feet North and 1,320 feet East from the SW corner of Section 31, Township 24 South, Range 34 East (W.M.)
- Well 8**
Located 1,310 feet North and 153 feet East from the SW corner of Section 30, Township 24 South, Range 34 East (W.M.)

Disclaimer
This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

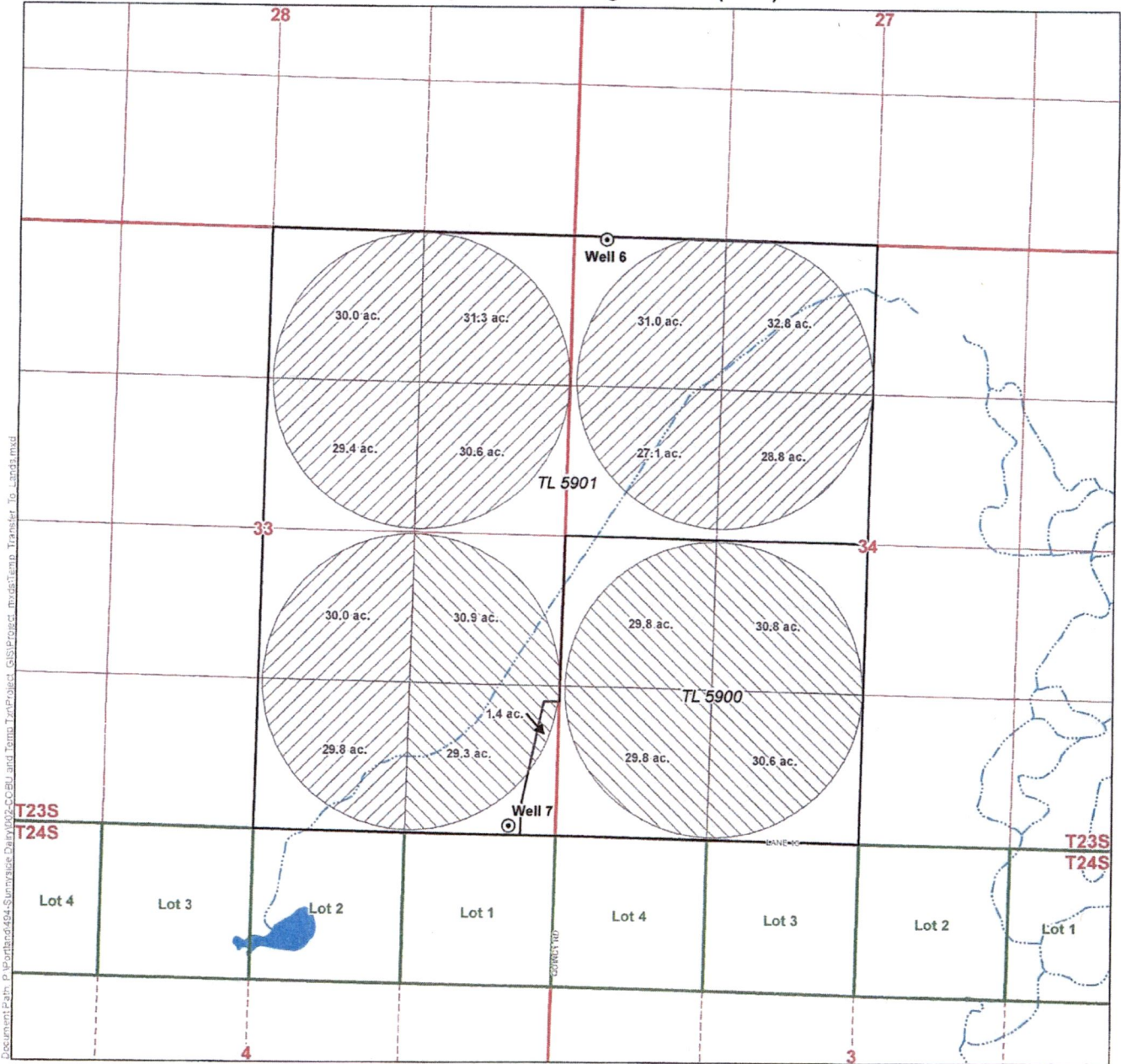
Map Notes
Date: February 19, 2015
Data Sources: OWRD, US BLM, USGS, ESRI
Prepared By: GSI Water Solutions, Inc.



Application for Temporary Transfer Sunnyside Dairy LLP TO LANDS

Certificate 84202 (Permit G-12027) and Certificate 89855 (Permit G-144)

Township 23 South, Range 33 East (W.M.)



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LEGEND

- ⊙ Point of Appropriation (POA)
- Place of Use (POU)**
- Certificate 84202
- Certificate 89855
- All Other Features**
- Government Lots
- Tax Lots
- Waterbodies
- Watercourses

POA LOCATION DESCRIPTIONS

Well 6
Located 25 feet South and 285 feet East from the NW corner of Section 34, Township 23 South, Range 33 East (W.M.)

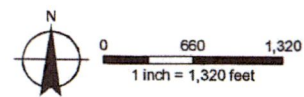
Well 7
Located 80 feet North and 400 feet West from the SE corner of Section 33, Township 23 South, Range 33 East (W.M.)

Disclaimer

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Map Notes

Date: February 20, 2015
Data Sources: OWRD, US BLM, USGS, ESRI
Prepared By: GSI Water Solutions, Inc.



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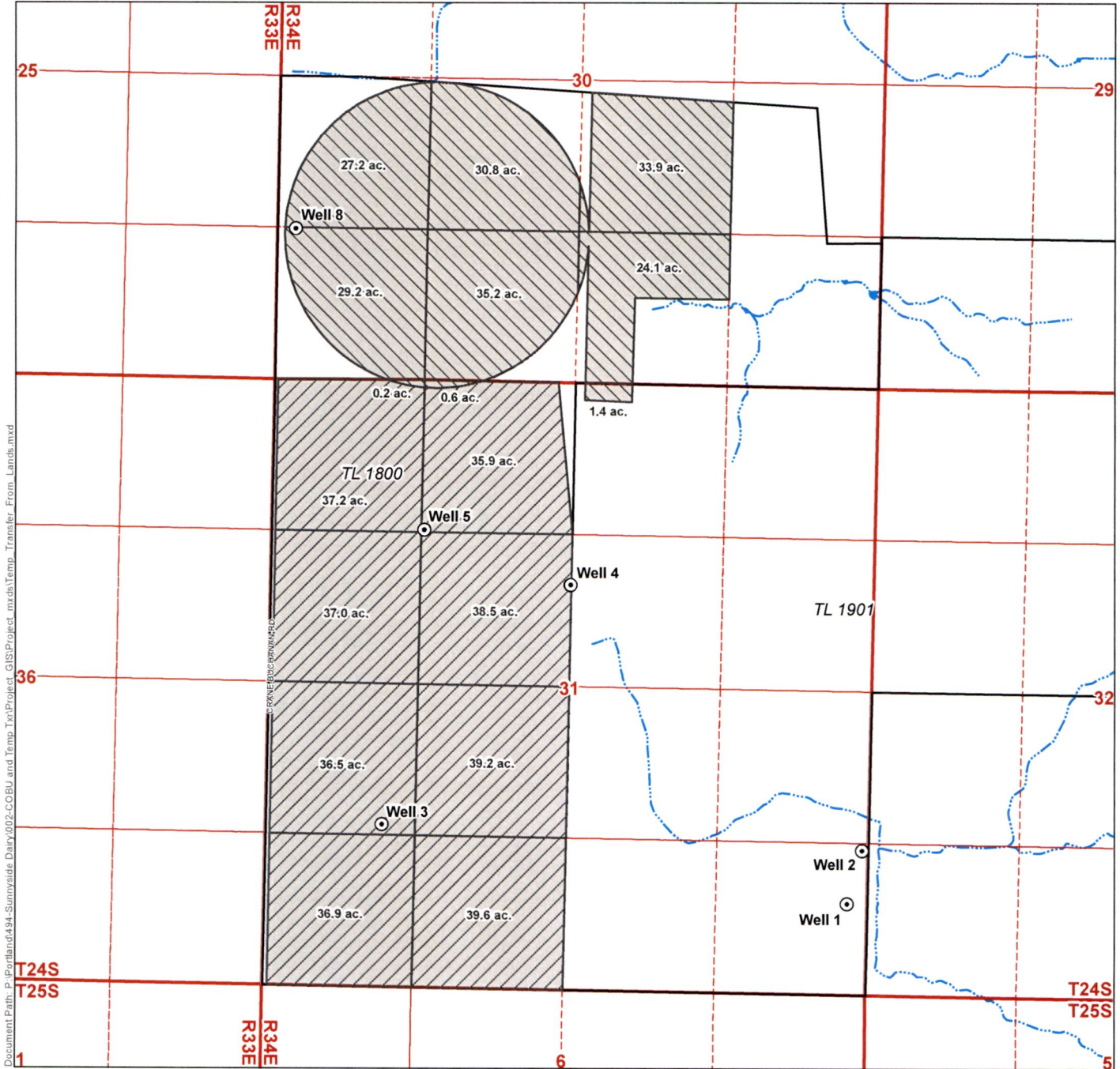
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Attachment #1
Temporary Transfer Application Maps
Temporary Transfer Application for Sunnyside Dairy, LLC
Certificates 84202 & 89855

Application for Temporary Transfer Sunnyside Dairy LLP FROM LANDS

13199

Certificate 84202 (Permit G-12027) and Certificate 89855 (Permit G-144)
Township 24 South, Range 34 East (W.M.)



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- ⊙ Point of Appropriation (POA)
- Place of Use (POU)**
- Certificate 84202
- Certificate 89855
- All Other Features**
- Government Lots
- Tax Lots
- Waterbodies
- Watercourses

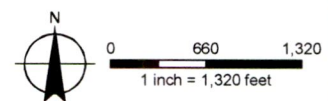
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Disclaimer
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Map Notes
Date: February 19, 2015
Data Sources: OWRD, US BLM, USGS, ESRI
Prepared By: GSI Water Solutions, Inc.

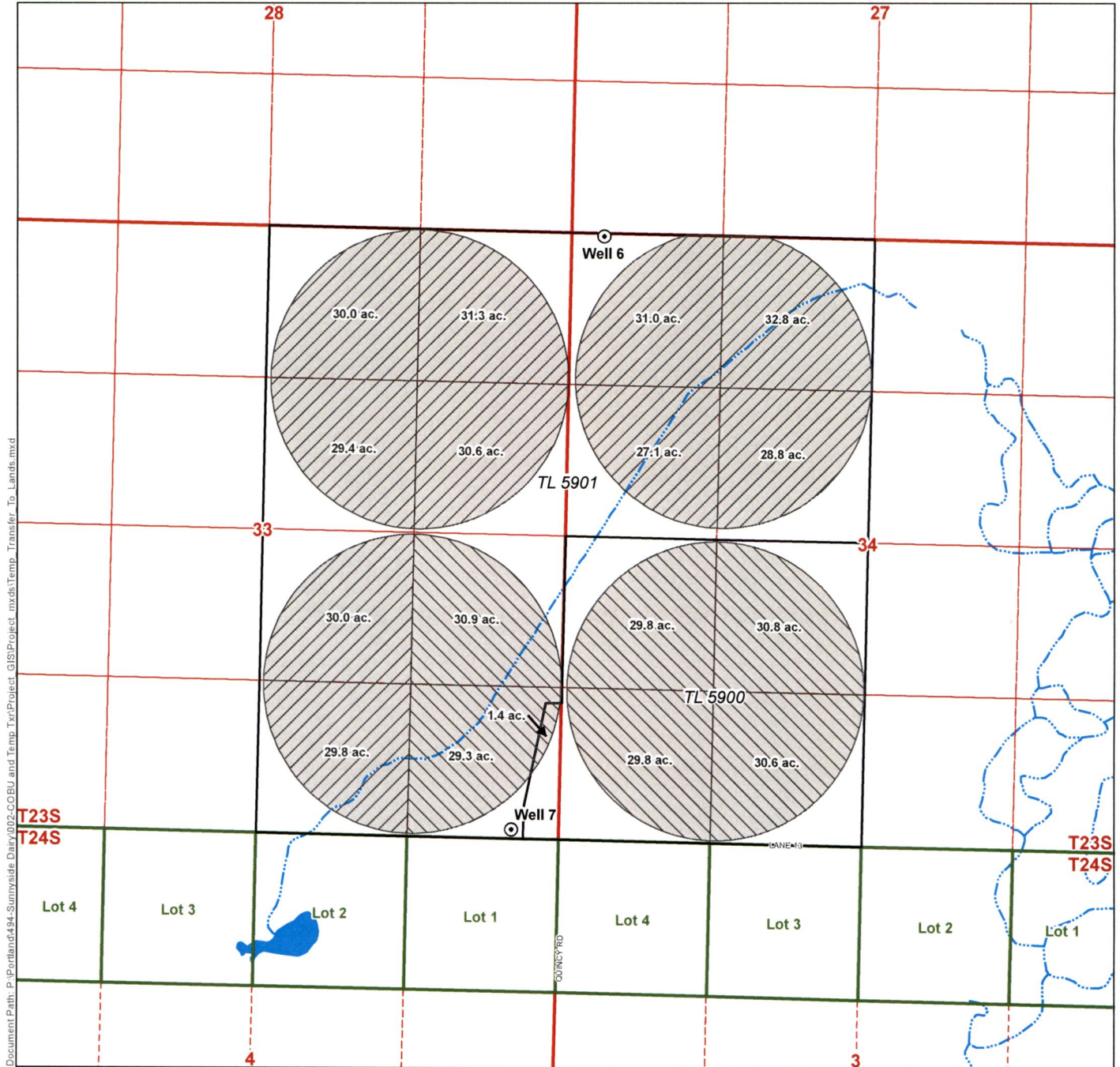


Application for Temporary Transfer Sunnyside Dairy LLP TO LANDS

13199

Certificate 84202 (Permit G-12027) and Certificate 89855 (Permit G-144)

Township 23 South, Range 33 East (W.M.)



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LEGEND

- ⊙ Point of Appropriation (POA)
- Place of Use (POU)**
- Certificate 84202
- Certificate 89855
- All Other Features**
- Government Lots
- Tax Lots
- Waterbodies
- Watercourses

POA LOCATION DESCRIPTIONS

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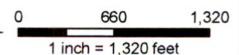
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Map Notes

Date: February 20, 2015
Data Sources: OWRD, US BLM, USGS, ESRI
Prepared By: GSI Water Solutions, Inc.

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Attachment #2
Evidence of Use Affidavit and Power Records
Temporary Transfer Application for Sunnyside Dairy, LLC
Certificates 84202 and 89855

Application for Water Right Transfer

Evidence of Use Affidavit



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing. Supporting documentation must be attached.

State of Oregon)
) ss
 County of HARNEY)

I, ROSALIO BRAMBILA, in my capacity as MANAGER,
 mailing address 4581 MAPLE GROVE ROAD, SUNNYSIDE, WA 89844
 telephone number (509)837-4779, being first duly sworn depose and say:

1. My knowledge of the exercise or status of the water right is based on (check one):
- Personal observation Professional expertise

2. I attest that:

- Water was used during the previous five years on the **entire** place of use for Certificate # 84202 AND 89855; **OR**
- My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township		Range		Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

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OR

- Confirming Certificate # 89855 has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: ____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # ____ (For Historic POD/POA Transfers)

(continues on reverse side)

3. The water right was used for: (e.g., crops, pasture, etc.): ALFALFA, GRASS/PASTURE

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.



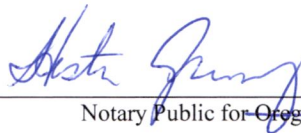
Signature of Affiant

5-30-19

Date



Signed and sworn to (or affirmed) before me this 30th day of May, 2019.



Notary Public for ~~Oregon~~ Washington

My Commission Expires: 2/15/23

Supporting Documents	Examples
<input checked="" type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input checked="" type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> • Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> • District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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CUSTOMER PROFILE/BILLING HIST

HARNEY ELEC COOPERATIVE, INC.

Customer: 397648	Name: SUNNYSIDE DAIRY LLC
Addl Name:	4581 MAPLE GROVE RD
Address:	SUNNYSIDE WA 98944-9793
Phone: 509-837-4779	Ext:
Mobi: 509-837-4779	Home: Addl Phone
Busn:	Mobi:
Fax:	Busn:
	Fax:

Account: 765800 Cycle Code: 2 Invoice Group: 1778
 Provider: COOP - HARNEY ELECTRIC COOP Service: ELEC - ELECTRIC SERVICE

AR Information:
 Total AR: .00 Budget Due: .00 Annual Due: .00
 Total Current: .00 Curr Budget: .00 Curr Annual: .00
 Total 30 Days: .00 Past Budget: .00 Past Annual: .00
 Total 60 Days: .00
 Total 90 Days: .00

Payment Information:
 Payment Date: 05/28/2019 Payment Amt: -10.23
 Location: 7658 Srv Map Loc: B109A
 Srv Desc: 200+33 hp irr
 Srv Address: BURNS
 Prim Rate Sched: IRI

Emergency Addr: B - HINES OFFICE
 District Office: 1 - JOE CRONIN
 Board Dist: 14 - CRANE - BUCHANAN
 Srv Area:

Billing History Usage Summary:

Rev Yr/Mo	Usage	Act Dmd	Bld Dmd	KVAR Usage	KVA Use
May 2018	14,200	144,720	144,720	.000	.000
Jun 2018	62,480	141,200	141,200	.000	.000
Jul 2018	13,360	138,520	138,520	.000	.000
Aug 2018	55,640	144,560	144,560	.000	.000
Sep 2018	95,720	138,120	138,120	.000	.000
Oct 2018	71,840	129,200	129,200	.000	.000
Nov 2018	7,120	126,400	126,400	.000	.000
Dec 2018	0	.000	.000	.000	.000
Totals:	320,360	962,720	962,720	.000	.000
Averages:	40,045	120,340	120,340	.000	.000

Billing History Revenue Summary:

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CUSTOMER PROFILE/BILLING HIST

HARNEY ELEC COOPERATIVE, INC.

Rev Yr:Mo	Bill Dt	Revenue	Demand	Device	PCA	Other	Tax	Adjust	Total
May 2018	05/07/2018	1,136.01	.00	.00	.00	-227.20	.00	.00	908.81
Jun 2018	06/06/2018	4,373.60	.00	.00	.00	-874.72	.00	.00	3,498.88
Jul 2018	07/06/2018	935.20	.00	.00	.00	-187.04	.00	.00	748.16
Aug 2018	08/07/2018	3,894.80	.00	.00	.00	-778.96	.00	.00	3,115.84
Sep 2018	09/07/2018	6,700.40	.00	.00	.00	-1,340.08	.00	.00	5,360.32
Oct 2018	10/05/2018	5,028.80	.00	.00	.00	-1,005.76	.00	.00	4,023.04
Nov 2018	11/07/2018	569.60	.00	.00	.00	-113.92	.00	.00	455.68
Totals:		\$22,638.41	\$.00	\$.00	\$.00	\$-4,527.68	\$.00	\$.00	\$18,110.73
Averages:		\$3,234.06	\$.00	\$.00	\$.00	\$-646.81	\$.00	\$.00	\$2,587.25

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CUSTOMER PROFILE/BILLING HIST

PARAMETERS ENTERED

Method: Single Account
 Customer:
 Account: 765800
 Service Location: 6822
 Provider: All
 Begin Revenue Year/Month: Jan 2018
 End Revenue Year/Month: Dec 2018
 History Sort Code: Rev Yr/Mo Ascending
 Print Provider Detail: Summary
 Print Location: Summary
 Print Billing History: Summary
 Register Modes: All

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CUSTOMER PROFILE/BILLING HIST

HARNEY ELEC COOPERATIVE, INC.

Customer: 397648 Name: SUNNYSIDE DAIRY LLC
 Addl Name: 4581 MAPLE GROVE RD
 Address: SUNNYSIDE WA 98944-9793

Phone: Home: 509-837-4779 Ext: Home: Addl Phone: Ext:
 Mobile: Busn: Mobile: Busn: Fax:
 Fax:

Account: 768300 Cycle Code: 2 Invoice Group: 1778
 Provider: COOP - HARNEY ELECTRIC COOP Service: ELEC - ELECTRIC SERVICE

AR Information:
 Total AR: .00 Budget Due: .00 Annual Due: .00
 Total Current: .00 Curr Budget: .00 Curr Annual: .00
 Total 30 Days: .00 Past Budget: .00 Past Annual: .00
 Total 60 Days: .00
 Total 90 Days: .00

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Payment Information:
 Payment Date: 05/28/2019 Payment Amt: -10.23
Location: 7683 Srv Map Loc: AD131AL010L7L6 Emergency Addr: B - HINES OFFICE
 Srv Desc: 100 hp irr District Office: 1 - JOE CRONIN
 Srv Address: NORTH OF JMK Board Dist: 14 - CRANE - BUCHANAN
 Prim Rate Sched: IR1 Srv Area:

Billing History Usage Summary:

Rev Yr/Mo	Usage	Act Dmd	Bid Dmd	KVAR Usage	KVA Use
May 2018	7,560	82,160	82,160	1760,000	.000
Jun 2018	40,760	82,280	82,280	9320,000	.000
Jul 2018	6,960	81,520	81,520	1600,000	.000
Aug 2018	32,400	81,280	81,280	7560,000	.000
Sep 2018	62,960	80,320	80,320	13920,000	.000
Oct 2018	40	.360	.360	40,000	.000
Nov 2018	40	.360	.360	80,000	.000
Dec 2018	0	.000	.000	.000	.000
Totals:	150,720	408,280	408,280	34280,000	.000
Averages:	18,840	51,035	51,035	4285,000	.000

Billing History Revenue Summary:

CUSTOMER PROFILE/BILLING HIST

HARNEY ELEC COOPERATIVE, INC.

Rev Yr/Mo	Bill Dt	Revenue	Demand	Device	PCA	Other	Tax	Adjust	Total
May 2018	05/07/2018	604.80	.00	.00	.00	-120.96	.00	.00	483.84
Jun 2018	06/06/2018	2,853.20	.00	.00	.00	-570.64	.00	.00	2,282.56
Jul 2018	07/06/2018	487.20	.00	.00	.00	-97.44	.00	.00	389.76
Aug 2018	08/07/2018	2,268.00	.00	.00	.00	-453.60	.00	.00	1,814.40
Sep 2018	09/07/2018	4,407.20	.00	.00	.00	-881.44	.00	.00	3,525.76
Oct 2018	10/05/2018	2.80	.00	.00	.00	-.56	.00	.00	2.24
Nov 2018	11/07/2018	3.20	.00	.00	.00	-.64	.00	.00	2.56
Totals:		\$10,626.40	\$.00	\$.00	\$.00	\$-2,125.28	\$.00	\$.00	\$8,501.12
Averages:		\$1,518.06	\$.00	\$.00	\$.00	\$-303.61	\$.00	\$.00	\$1,214.45

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HARNEY ELEC COOPERATIVE, INC.

CUSTOMER PROFILE/BILLING HIST

PARAMETERS ENTERED

Method:	Single Account
Customer:	
Account:	768300
Service Location:	6822
Provider:	All
Begin Revenue Year/Month:	Jan 2018
End Revenue Year/Month:	Dec 2018
History Sort Code:	Rev Yr/Mo Ascending
Print Provider Detail:	Summary
Print Location:	Summary
Print Billing History:	Summary
Register Modes:	All

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CUSTOMER PROFILE/BILLING HIST

HARNEY ELEC COOPERATIVE, INC.

Customer: 397648 Name: SUNNYSIDE DAIRY LLC Phone: Ext: Addl Phone: Ext:

Address: 4581 MAPLE GROVE RD Home: 509-837-4779

SUNNYSIDE WA 98944-9793 Busn: Mobl: Fax: Busn: Mobl: Fax:

Account: 682201 Cycle Code: 2 Invoice Group: 1778 Service: ELEC - ELECTRIC SERVICE

Provider: COOP - HARNEY ELECTRIC COOP

AR Information:

Total AR:	.00	Budget Due:	.00	Annual Due:	.00
Total Current:	.00	Curr Budget:	.00	Curr Annual:	.00
Total 30 Days:	.00	Past Budget:	.00	Past Annual:	.00
Total 60 Days:	.00				
Total 90 Days:	.00				

Payment Information:

Payment Date: 05/28/2019 Payment Amt: -26

Location: 6822 Srv Map Loc: B103 Srv Desc: 100+6 HP IRR

Srv Address: NORTH JMK FARMS Prim Rate Sched: IRI

Emergency Addr: B - HINES OFFICE

District Office: 1 - JOE CRONIN

Board Dist: 14 - CRANE - BUCHANAN

Srv Area:

Billing History Usage Summary:

Rev Yr/Mo	Usage	Act Dmd	Bid Dmd	KVAR Usage	KVA Use
May 2018	6	1,736	1,736	.000	.000
Jun 2018	14,967	62,237	62,237	.000	.000
Jul 2018	27,120	60,565	60,565	.000	.000
Aug 2018	11,426	60,328	60,328	.000	.000
Sep 2018	20,219	60,082	60,082	.000	.000
Oct 2018	245	.522	.522	.000	.000
Nov 2018	31	.482	.482	.000	.000
Dec 2018	0	.000	.000	.000	.000
Totals:	74,014	245,952	245,952	.000	.000
Averages:	9,252	30,744	30,744	.000	.000

Billing History Revenue Summary:

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CUSTOMER PROFILE/BILLING HIST

HARNEY ELEC COOPERATIVE, INC.

Rev Yr:Mo	Bill Dt	Revenue	Demand	Device	PCA	Other	Tax	Adjust	Total
May 2018	05/07/2018	.49	.00	.00	.00	99.90	.00	.00	100.39
Jun 2018	06/06/2018	1,047.69	.00	.00	.00	-209.54	.00	.00	838.15
Jul 2018	07/06/2018	1,898.40	.00	.00	.00	-379.68	.00	.00	1,518.72
Aug 2018	08/07/2018	799.82	.00	.00	.00	-159.96	.00	.00	639.86
Sep 2018	09/07/2018	1,415.33	.00	.00	.00	-283.07	.00	.00	1,132.26
Oct 2018	10/05/2018	17.15	.00	.00	.00	-3.43	.00	.00	13.72
Nov 2018	11/07/2018	2.48	.00	.00	.00	-.50	.00	.00	1.98
Totals:		\$5,181.36	\$.00	\$.00	\$.00	\$-936.28	\$.00	\$.00	\$4,245.08
Averages:		\$740.19	\$.00	\$.00	\$.00	\$-133.75	\$.00	\$.00	\$606.44

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CUSTOMER PROFILE/BILLING HIST

PARAMETERS ENTERED

Method: Single Account
 Customer: 682201
 Account: 6822
 Service Location: 6822
 Provider: All
 Begin Revenue Year/Month: Jan 2018
 End Revenue Year/Month: Dec 2018
 History Sort Code: Rev Yr/Mo Ascending
 Print Provider Detail: Summary
 Print Location: Summary
 Print Billing History: Summary
 Register Modes: All

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Attachment #3

Current Deed

Temporary Transfer Application for Sunnyside Dairy, LLC

Certificates 84202 and 89855



HARNEY COUNTY, OR 2013-0862
DEEDWD 06/21/2013 10:25 AM
Total:\$51.00



00006090201300008620040047

I, Derrin Robinson, County Clerk for Harney County, Oregon certify that the instrument identified herein was recorded in the Clerk records.

Derrin Robinson

Derrin E. Robinson, Harney County Clerk



After recording return to:
Sunnyside Dairy, LLC, a Washington limited liability company
4581 Maple Grove Road
Sunnyside, WA 98944

Until a change is requested all tax statements shall be sent to the following address:
Sunnyside Dairy, LLC, a Washington limited liability company
4581 Maple Grove Road
Sunnyside, WA 98944

Escrow No. RB0709145
Title No. 0020895
SWD r.020212

STATUTORY WARRANTY DEED

Jerry L. Rank and Gayla Ann Rank, as tenants by the entirety,

Grantor(s), hereby convey and warrant to

Sunnyside Dairy, LLC, a Washington limited liability company,

13199

Grantee(s), the following described real property in the County of HARNEY and State of Oregon free of encumbrances except as specifically set forth herein:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

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FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:

10678 24S 34E 1800
10679 24S 34E 1900

The true and actual consideration for this conveyance is **\$1,550,000.00 A PORTION WHICH IS PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR.**

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

SUBJECT TO a reservation of a non-exclusive easement fifty (50') feet in width for private access and utility use, which use is over and across the property described above in this deed, at the location and for the benefit of and appurtenant to "Parcel 2" as shown on that certain site plan map attached as Exhibit B to Harney County Planning Department Findings and Decision recorded May 6, 2013 as Instrument No. 2013-0621; provided however, that Grantee or its successors may relocate the easement, at Grantee's expense, so long as Grantor has continuous access.

SUBJECT TO a reservation of a non-exclusive use of grazing land lying easterly of irrigated land located in the Southeast ¼ of Section 30 of the subject property, which use is for the benefit of and appurtenant to "Parcel 2" as shown on that certain site plan map attached as Exhibit B to Harney County Planning Department Findings and Decision recorded May 6, 2013 as Instrument No. 2013-0621; provided, however, that Grantee may terminate such grazing right and use by Grantor by paying to Grantor the amount of \$50,000.00, and further Grantor shall be responsible for keeping livestock out of irrigated land of Grantee,

and Grantee may terminate such grazing right in the event that Grantor fails to maintain fences to keep livestock out of irrigated land or in the event livestock enter irrigated land.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

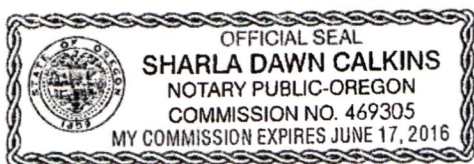
Dated this 21 day of June, 2013

Jerry L. Rank
Jerry L. Rank

Gayla Ann Rank
Gayla Ann Rank

State of Oregon
County of HARNEY

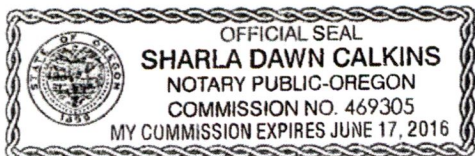
This instrument was acknowledged before me on June 21, 2013 by Jerry L. Rank.



Sharla Dawn Calkins
(Notary Public for Oregon)
My commission expires June 17, 2016

State of Oregon
County of HARNEY

This instrument was acknowledged before me on June 21, 2013 by Gayla Ann Rank.



Sharla Dawn Calkins
(Notary Public for Oregon)
My commission expires June 17, 2016

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EXHIBIT "A"

Land in Harney County, Oregon, as follows:

In Twp. 24 S., R. 34 E., W.M.:
Sec. 31: Lots 1, 2, 3 and 4, E $\frac{1}{2}$ W $\frac{1}{2}$.

ALSO all that portion of Lots 3 and 4, E $\frac{1}{2}$ SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Sec. 30, lying South and West of the following described line:

Beginning at the West quarter corner of said Sec. 30;
thence S. 87°34'30" E., 4669.44 feet, along an existing fence line;
thence S. 05°07'50" E., 1187.52 feet, along an existing fence line;
thence N. 88°18'40" E., 468.66 feet, along an existing fence line, to the section line common to Sections 29 and 30, said point being N. 00°01'00" W., 1259.56 feet from the Southeast corner of said Sec. 30;
thence N. 88°18'40" E., 2642.00 feet, more or less, along an existing fence line, to the North-South centerline of said Sec. 29.

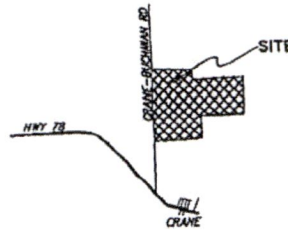
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EXHIBIT B MAP TO ACCOMPANY APPLICATION FOR PROPERTY LINE ADJUSTMENT

BETWEEN TAX LOTS 1800 & 1900
 IN TAX MAP 24 34 00, HARNEY COUNTY, OR

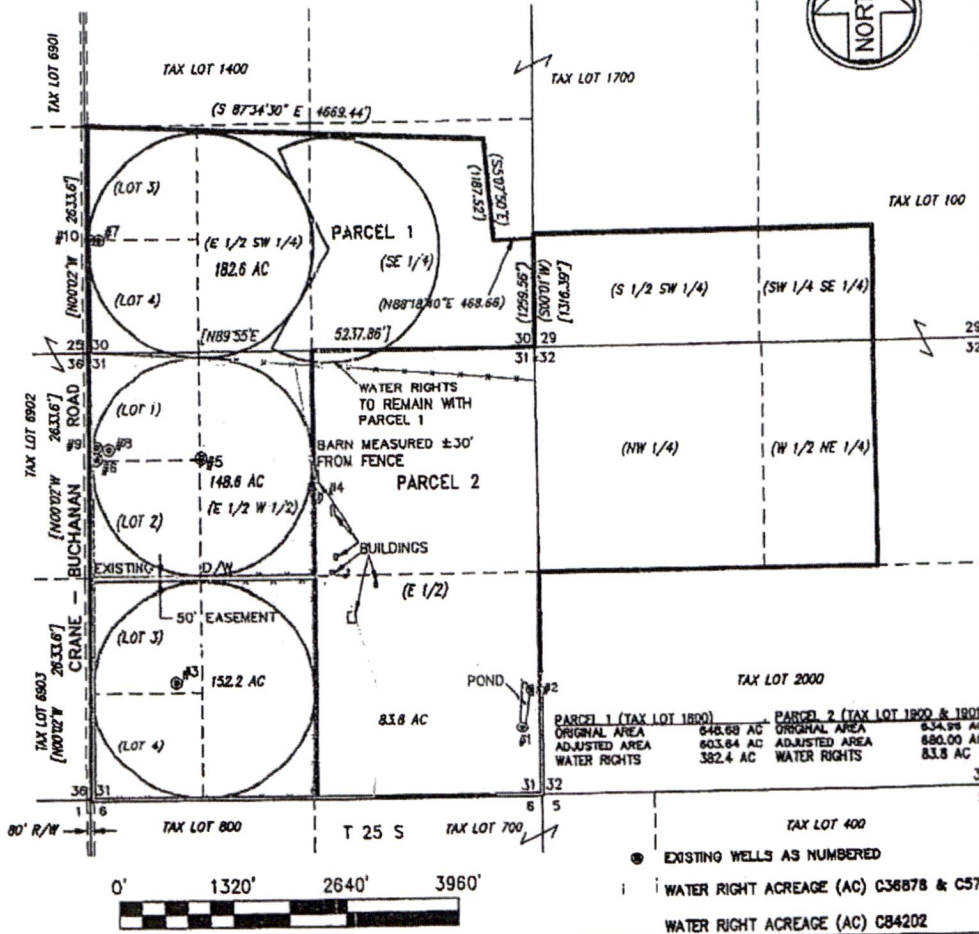
VICINITY MAP NOT TO SCALE



THIS MAP WAS DRAFTED USING AVAILABLE SURVEY RECORDS BELOW, LAKE COUNTY ASSESSOR'S MAP 342400, AND USDA FSA 2012 AERIAL IMAGERY.

PROPOSED EASEMENT SHOWN HEREON ARE FOR PRIVATE ACCESS AND UTILITY USE TO BENEFIT BOTH PARCELS.

THE EXISTING DRIVEWAY "D/W" HAS ELECTRICITY & TELECOMMUNICATIONS UTILITIES ON POLES ALONGSIDE.



TAX MAP & LOT 24340000 01800 & 01900
 DEED RECORD 2004-1023 & 2005-2522
 OWNERS/APPLICANTS JERRY RANK, OWNER
 P.O. BOX 845
 CRANE OR 97732
 SUNNYSIDE DAIRY, APPLICANT
 4581 MAPLE GROVE RD.
 SUNNYSIDE, WA 98944
 GROSS AREAS 648.68 ACRES & 624.96 ACRES
 ZONE EFURU-1 EXCLUSIVE FARM USE
 RURAL USE

SITE PLAN		
DRAWN: sdm	DATE 4/6/2013	SUNNYSIDE DAIRY 4581 MAPLE GROVE RD. SUNNYSIDE, WA 98944
APPROVED:	DATE	PRELIM.DWG
SCALE: SHOWN	SHEET 1 of 1	PROJECT NO. 13019
ALL POINTS ENGINEERING & SURVEYING P.O. BOX 767 (CRR) TERREBONNE, OREGON 97760 PHONE (341) 549-5833 www.APEandS.com		

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Attachment #4
FROM and TO Well Logs
Temporary Transfer Application for Sunnyside Dairy, LLC
Certificates 84202 and 89855

WATER WELL REPORT

State Well No. 24/34E-31 B1
 State Permit No. 8-144 dda

Harn 1071

STATE OF OREGON FROM

(1) OWNER:

Name John W. Rossberg
 Address Box 443 Burns, Oregon

(2) LOCATION OF WELL:

County HARNEY Owner's number, if any—
 1/4 1/4 Section 31 T. 24S R. 34E W.M.
 Bearing and distance from section or subdivision corner

Elev - 4167'

(3) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon
 If abandonment, describe material and procedure in Item 11.

PROPOSED USE (check):

Domestic Industrial Municipal
 Irrigation Test Well Other

(5) TYPE OF WELL:

Rotary Driven
 Cable Jetted
 Dug Bored

(6) CASING INSTALLED:

Threaded Welded

" Diam. from None ft. to None ft. Gage
 " Diam. from None ft. to None ft. Gage
 " Diam. from None ft. to None ft. Gage

(7) PERFORATIONS:

Perforated? Yes No

Type of perforator used
 SIZE of perforations (in. by in.)
 perforations from ft. to ft.
 perforations from ft. to ft.
 perforations from ft. to ft.
 perforations from ft. to ft.
 perforations from ft. to ft.

(8) SCREENS:

Well screen installed Yes No

Manufacturer's Name
 Type Model No.
 Diam. Slot size Set from ft. to ft.
 n. Slot size Set from ft. to ft.

(9) CONSTRUCTION:

Was well gravel packed? Yes No Size of gravel:
 Gravel placed from ft. to ft.
 Was a surface seal provided? Yes No To what depth? ft.
 Material used in seal—
 Did any strata contain unusable water? Yes No
 Type of water? Depth of strata
 Method of sealing strata off

(10) WATER LEVELS:

Static level 21 ft. below land surface Date 8/1/60
 Artesian pressure lbs. per square inch Date

Log Accepted by: John W. Rossberg
 [Signed] John W. Rossberg Date 8/1/60
 (Owner)

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? Yes No If yes, by whom?
 Yield: 600 gal./min. with 57 ft. drawdown after 24 hrs.
 " " " " " "
 " " " " " "
 Bailer test gal./min. with ft. drawdown after hrs.
 Artesian flow g.p.m. Date
 Temperature of water Was a chemical analysis made? Yes No

(12) WELL LOG:

Diameter of well inches.

Depth drilled 132 ft. Depth of completed well 132 ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
TOP SOIL	0	8
HARD PAN	8	21
SAND STONE (WATER)	21	30
BLUE & YELLOW CLAY	30	60
COURSE GRAVEL	60	65
BOULDER	65	73
HARD ROCK	73	75
PUMIC ROCK &	75	132
PUMIC SAND		

THIS WELL DRILLED WITH ROTARY 32" DOWN TO 68 FT. DRILLED 12" WITH CABLE DOWN TO 132 FT.

This well incomplete needs more work + casing

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Work started 8/1 1957 Completed 8/1 1960

(13) PUMP:

Manufacturer's Name FAIRBANKS MORSE
 Type: 5" Turbine H.P. BELT

Well Driller's Statement:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME John W. Rossberg
 (Person, firm, or corporation) (Type or firm)
 Address Box 443 Burns, Oregon

Driller's well number
 [Signed] John W. Rossberg
 (Well Driller)
 License No. 272 Date 8/1, 1960

13199

HARN 1071
FROM

State Well No. 24/34 - 31 A(1)
County Harney
Application No. _____

Water Level Record

OWNER: Rossberg OWNER'S NO. 1

Description of measuring point: Top of 8x8" timber, .5' above LSD - No casing in well

ELEV. - 4167'

Date	Water Level Feet (above) (below) Land Surface	Remarks	Date	Water Level Feet (above) (below) Land Surface	Remarks
6-10-59	25.79				
12-8-59	21.82				
5-10-60	19.77				
12-13-60	22.77				
5-10-61	21.48				
12-12-61	25.03	JS RD			

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REMARKS: _____
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HARN 1072
FROM

State Well No. 134-31 R 2
County Harney dda/2
Application No. G 234

Water Level Record

OWNER: John Rassburg OWNER'S NO. 2

Description of measuring point: Top of casing at LSD

ELEV. - 4167'

Date	Water Level Feet (above) (below) Land Surface	Remarks	Date	Water Level Feet (above) (below) Land Surface	Remarks
12-8-59	21.10				
5-10-60	18.68				
12-13-60	21.63				
5-10-61	20.36				
12-12-61	23.98				

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REMARKS: _____

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OBSERVATION WELL

FROM

AUG 17 1960

WATER WELL REPORT

1067
HARNEY

State Well No. 24/34E-316

State Permit No. 144 acb

File Original and First Copy with the STATE ENGINEER, SALEM, OREGON

STATE ENGINEER STATE OF OREGON

(1) OWNER: Name John W. Florsberg
Address Box 443 Burns, Oregon

(2) LOCATION OF WELL: County Harney Owner's number, if any #4
Section 31 T. 24S R. 34E W.M.
Bearing and distance from section or subdivision corner

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ELEV. - 4142'

(3) TYPE OF WORK (check): New Well Deepening Reconditioning Abandon
If abandonment, describe material and procedure in Item 11.

PROPOSED USE (check): Domestic Industrial Municipal Irrigation Test Well Other
(5) TYPE OF WELL: Rotary Driven Cable Jetted Dug Bored

(6) CASING INSTALLED: 14" Diam. from 0 ft. to 9 ft. Gage 8
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(7) PERFORATIONS: Perforated? Yes No
Type of perforator used
SIZE of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(8) SCREENS: Well screen installed Yes No
Manufacturer's Name
Type Model No.
n. Slot size Set from ft. to ft.
n. Slot size Set from ft. to ft.

(9) CONSTRUCTION: Was well gravel packed? Yes No Size of gravel:
Gravel placed from ft. to ft.
Was a surface seal provided? Yes No To what depth? ft.
Material used in seal—
Did any strata contain unusable water? Yes No
Type of water? Depth of strata
Method of sealing strata off

(10) WATER LEVELS: Static level 26 ft. below land surface Date 3/28/60
Artesian pressure lbs. per square inch Date

Log Accepted by: [Signed] John W. Florsberg Date 8/13 1960 (Owner)

(11) WELL TESTS: Drawdown is amount water level is lowered below static level
Was a pump test made? Yes No If yes, by whom?
Yield: 200 gal./min. with 100 ft. drawdown after 2 hrs.
" " " " "
" " " " "
Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m. Date
Temperature of water Was a chemical analysis made? Yes No

(12) WELL LOG: Diameter of well 12 inches.
Depth drilled 305 ft. Depth of completed well 305 ft.
Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
TOP SOIL	0	9
HARD PAN	9	24
BROWN SANDSTONE	24	47
PUMICE-ROCK	47	69
BLUE LAY	69	142
BLACK LAVA ROCK	142	285
RED CINDER ROCK	285	300
BLACK LAVA ROCK	300	305

all seems to pour in the rock we went thru was filled with a green & yellow soap stone material. Preventing water from entering well
Work started 2/3 1960 Completed 3/28 1960

(13) PUMP: Manufacturer's Name NONE
Type: H.P.

Well Driller's Statement: This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
NAME John W. Florsberg (Person, firm, or corporation) (Type of print)
Address Box 443 Burns, Oreg.
Driller's well number
[Signed] John W. Florsberg (Well Driller)
License No. 272 Date 8/13 1960

WATER WELL REPORT
STATE OF OREGON

State Well No. 24/34E-31C
State Permit No. 5144 bac

1068
Horn

FROM

(1) OWNER:
Name John W. Rossberg
Address Box 443 Burns, Oregon

(2) LOCATION OF WELL:
County Harney Owner's number, if any— #5
Section 31 T. 245 R. 34E W.M.
Bearing and distance from section or subdivision corner

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(3) TYPE OF WORK (check):
New Well Deepening Reconditioning Abandon
If abandonment, describe material and procedure in Item 11.

PROPOSED USE (check):
Domestic Industrial Municipal Irrigation Test Well Other
(5) TYPE OF WELL:
Rotary Cable Dug Driven Jetted Bored

(6) CASING INSTALLED:
14" Diam. from 0 ft. to 10 ft. Gage 8
" Diam. from _____ ft. to _____ ft. Gage _____
" Diam. from _____ ft. to _____ ft. Gage _____

(7) PERFORATIONS:
Type of perforator used _____
SIZE of perforations in. by in.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.

(8) SCREENS:
Well screen installed Yes No
Manufacturer's Name _____
Type _____ Model No. _____
n. _____ Slot size _____ Set from _____ ft. to _____ ft.
n. _____ Slot size _____ Set from _____ ft. to _____ ft.

(9) CONSTRUCTION:
Was well gravel packed? Yes No Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.
Was a surface seal provided? Yes No To what depth? _____ ft.
Material used in seal— Cement
Did any strata contain unusable water? Yes No
Type of water? _____ Depth of strata _____
Method of sealing strata off _____

(10) WATER LEVELS:
Static level 25 1/2 ft. below land surface Date 7/5/60
Artesian pressure _____ lbs. per square inch Date _____
Log Accepted by: _____
[Signed] John W. Rossberg Date 7/5, 1960
(Owner)

(11) WELL TESTS: Drawdown is amount water level is lowered below static level
Was a pump test made? Yes No If yes, by whom? DRILLER
Yield: 225 gal./min. with 58 ft. drawdown after 600 hrs.
" " " " "
" " " " "
" " " " "
Bailer test gal./min. with _____ ft. drawdown after _____ hrs.
Artesian flow g.p.m. Date _____
Temperature of water _____ Was a chemical analysis made? Yes No

(12) WELL LOG: Diameter of well 14 1/2 inches.
Depth drilled 603 ft. Depth of completed well 503 ft.
Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
14" TO 265'		
TOP SOIL	0	7
HARD PAN	7	28
SAND STONE (WATER)	28	45
BLUE CLAY	45	111
PUMIC ROCK	111	154
LAYERS CLAY & ROCK	154	248
LAVA ROCK	248	265
GREY BASALT	265	283
REDUCED TO 12" @ 265'		
BLUE & YELLOW CLAY	283	390
BLACK LAVA ROCK	390	476
RED CINDER ROCK	476	603

Work started 3/15 1958 Completed 6/13 1959

(13) PUMP:
Manufacturer's Name Fairbanks Morse
Type: 4" Turbine H.P. 5

Well Driller's Statement:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
NAME John W. Rossberg (Person, firm, or corporation) (Type or title)
Address Box 443 Burns, Oregon
Driller's well number _____
[Signed] John W. Rossberg (Well Driller)
License No. 272 Date 7/5, 1960

The original and first copy of this report are to be filed with the

WATER WELL REPORT

DEC 24 1974

TO

State Well No. 23S/32E-33d

STATE OF OREGON

(Please type or print)

STATE ENGINEER

State Permit No.

STATE ENGINEER, SALEM, OREGON 97310 within 30 days from the date of well completion.

HARNEY 624

16.5' N 1/4 E of SW 1/4 of NE 1/4 of SE 1/4 sec 33, 23/3

(1) OWNER:

Name Harman Schimbecker Address 8006 NE 125 Ave Vancouver, Washington

(2) TYPE OF WORK (check):

New Well [X] Deepening [] Reconditioning [] Abandon [] If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary [X] Cable [] Dug [] Driven [] Jetted [] Bored []

(4) PROPOSED USE (check):

Domestic [] Industrial [] Municipal [] Irrigation [X] Test Well [] Other []

CASING INSTALLED:

1.4" Diam. from 0 ft. to 257 ft. Gage .025

PERFORATIONS:

Perforated? [X] Yes [] No. Type of perforator used Factory Perforated Size of perforations 3/16 in. by 3 in. 11,850 perforations from 20 ft. to 257 ft.

(7) SCREENS:

Well screen installed? [] Yes [X] No Manufacturer's Name Type Model No. Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level Was a pump test made? [] Yes [X] No If yes, by whom? Yield: gal./min. with ft. drawdown after hrs.

(9) CONSTRUCTION:

Well seal—Material used Cement Well sealed from land surface to 20 ft. Diameter of well bore to bottom of seal 24 in. Number of sacks of cement used in well seal 15 sacks

(10) LOCATION OF WELL:

County HARNEY Driller's well number SE 1/4 SE 1/4 Section 33 T. 23 R. 33 E W.M. Bearing and distance from section or subdivision corner 6' So 20'E of the NW corner of the SE 1/4 of the SE 1/4

(11) WATER LEVEL: Completed well.

Depth at which water was first found 15 ft. Static level 7 ft. below land surface. Date 12/18/74 Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing -- Depth drilled 257 ft. Depth of completed well 257 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

Table with columns: MATERIAL, From, To, SWL. Rows include Topsoil Sandy, Sandstone Brown, Clay Br to Blue, Gravel, fine, unconsol., Claystone, hard, Gravel, med, unconsol., Sand Black, Clay, gray, soft, Clay, blue, soft, Sandstone, green, Gravel, fine, Claystone, gray, Claystone, brown.

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Work started 12/10 19 74 Completed 12/13 19 74 Date well drilling machine moved off of well 12/13 19 74

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] W.D. Penhall Date 12/18, 1974 (Drilling Machine Operator)

Drilling Machine Operator's License No. 491

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name Western Drilling Co. (Person, firm or corporation) (Type or print)

Address Box 751

[Signed] John W. McArthur (Water Well Contractor)

Contractor's License No. 426 Date 12/18, 1974

STATE OF OREGON WATER SUPPLY WELL REPORT

(as required by ORS 537.765 & OAR 690-205-0210)

WELL LABEL # L 112499

START CARD # 1022349

Instructions for completing this report are on the last page of this form.

1) LAND OWNER
Owner Well I.D.
First Name Last Name
Company SUNNYSIDE DAIRY LLC
Address 4581 MAPLE GROVE RD
City SUNNYSIDE State WA Zip 98944

(2) TYPE OF WORK
New Well Deepening Conversion
Alteration (repair/recondition) Abandonment

(3) DRILL METHOD
Rotary Air Rotary Mud Cable Auger Cable Mud
Reverse Rotary Other

(4) PROPOSED USE
Domestic Irrigation Community
Industrial/Commercial Livestock Dewatering Injection
Thermal Other

(5) BORE HOLE CONSTRUCTION
Special Standard: Yes (attach copy)
Depth of Completed Well 500 ft.

Table with columns: Dia, BORE HOLE (From, To), Material, SEAL (From, To), Amount, Scks/lbs. Includes rows for 24", 20", and 12" diameters.

How was seal placed: Method A B C D E
Other POURED DRY
Backfill placed from ft. to ft. Material
Filter pack from 0 ft. to 335 ft. Material GRAVEL Size 3/8
Explosives used: Yes Type Amount

(6) CASING/LINER
Table with columns: Casing/Liner, Dia, Gauge, Steel, Plastic, Welded, Thrd. Includes rows for 20" and 12" diameters.

Shoe Inside Outside Other Location of shoe(s)
Temporary casing Yes Diameter From To

(7) PERFORATIONS/SCREENS
Perforations Method FACTORY
Screens Type Material

Table with columns: Perf, Scrm, Casing, Liner, Screen Dia, From, To, Screen slot width, Slot length, # of slots, Tele/pipe size. Includes row for 230-335 diameter screen.

(8) WELL TESTS: Minimum testing time is 1 hour
Pump Bailer Air Flowing Artesian
Yield gal/min Drawdown Drill stem Pump depth Duration (hr)
1000 200' 1

Temperature 67 F Lab analysis Yes By
Water quality concerns? Yes (describe below)
Table with columns: From, To, Description, Amount, Units

(9) LOCATION OF WELL (legal description)
County HARNEY Twp 23 N of Range 33 E or W W.M.
Sec 34 NW 1/4 of the NW 1/4 Tax Lot 5901
Tax Map Number Lot
Lat Long
Street Address of Well (or nearest address) 5901 QUINCY RD. CRANE

(10) STATIC WATER LEVEL
Table with columns: Existing Well/Predeepening, Completed Well, Date, SWL (psi), SWL (ft). Includes row for 3-16-14 with SWL of 21 ft.

WATER BEARING ZONES
Table with columns: SWL Date, From, To, Est Flow, SWL (psi), SWL (ft). Includes rows for 2-24-14 and 3-16-14.

(11) WELL LOG RECEIVED BY OWRD
Table with columns: Material, From, To. Includes layers like SANDY TOPSOIL, TAN CLAY-BRN SAND, GRAY CLAY-BRN SAND, etc.

Date Started 2-23-14 Completed 3-16-14

(unbonded) Water Well Constructor Certification
I certify that the work I performed on this well is in compliance with Oregon water supply well construction standards.

License Number 1739 Date 3-23-14
Signed [Signature]

(bonded) Water Well Constructor Certification
I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above.

License Number 1355 Date 3-23-14
Signed [Signature]

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Attachment #5
Certificates 84202 and 89855
Temporary Transfer Application for Sunnyside Dairy, LLC
Certificates 84202 and 89855

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JERRY L RANK AND GAYLA ANN RANK
65341 CRANE BUCHANAN RD
BURNS OR 97720

confirms the right to use the waters of A WELL 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 or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
24 S	34 E	WM	30	SW SW	4		1310 FEET NORTH & 153 FEET EAST FROM SW CORNER, SECTION 30

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.

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:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
24 S	34 E	WM	30	NE SW			30.8
24 S	34 E	WM	30	NW SW	3		27.2
24 S	34 E	WM	30	SW SW	4		29.2
24 S	34 E	WM	30	SE SW			35.2
24 S	34 E	WM	30	NW SE			33.9
24 S	34 E	WM	30	SW SE			24.1

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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 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review or 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
24 S	34 E	WM	31	NW NE			1.4
24 S	34 E	WM	31	NE NW			0.6
24 S	34 E	WM	31	NW NW	1		0.2

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

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device 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 permit.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is 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 measurements.

Use of water from the well(s) shall not be allowed if the 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 initial March report. That is the level from which the cited declines in (A), (B) and (C) above will be referenced. The reference level is 51.5 below ground surface.

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 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.

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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.

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

Issued JUN 18 2008


Phillip C. Ward, Director
Water Resources Department

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STATE OF OREGON
 COUNTY OF HARNEY
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SUNNYSIDE DAIRY, LLC
 4581 MAPLE GROVE ROAD
 SUNNYSIDE, WA 89844

confirms the right to use the waters of FIVE ROSSBERG 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 0.94 CFS FROM WELL 1, 0.94 CFS FROM WELL 2, 0.94 CFS FROM WELL 3, 0.16 CFS FROM WELL 4, AND 0.78 CFS FROM WELL 5, 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
24 S	34 E	WM	31	SE SE	WELL 1 – 780 FEET NORTH AND 170 FEET WEST FROM THE SE CORNER OF SECTION 31
24 S	34 E	WM	31	SE SE	WELL 2 – 1260 FEET NORTH AND 60 FEET WEST FROM THE SE CORNER OF SECTION 31
24 S	34 E	WM	31	NW SW	WELL 3 – 1410 FEET NORTH AND 1020 FEET EAST FROM THE SW CORNER OF SECTION 31
24 S	34 E	WM	31	SW NE	WELL 4 – 3480 FEET NORTH AND 2660 FEET EAST FROM THE SW CORNER OF SECTION 31
24 S	34 E	WM	31	NE NW	WELL 5 – 3950 FEET NORTH AND 1320 FEET EAST FROM THE SW CORNER OF SECTION 31

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.

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This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or 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 to which this right is appurtenant is as follows:

IRRIGATION WELLS 2, 3, 4, AND 5						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
24 S	34 E	WM	31	NE NW		35.9
24 S	34 E	WM	31	NW NW	1	37.2
24 S	34 E	WM	31	SW NW	2	37.0
24 S	34 E	WM	31	SE NW		38.5
TOTAL						148.6

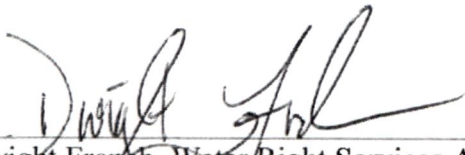
IRRIGATION WELLS 1, 2, 3, 4, AND 5						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
24 S	34 E	WM	31	NE SW		39.2
24 S	34 E	WM	31	NW SW	3	36.5
24 S	34 E	WM	31	SW SW	4	36.9
24 S	34 E	WM	31	SE SW		39.6
TOTAL						152.2

This certificate is issued in accordance with OAR 690-380-6010 to describe the water right for non-completed additional points of appropriation approved by an order of the Water Resources Director entered June 27, 2007, at Special Order Volume 72, Pages 514-518, approving Transfer Application T-10149 and supersedes Certificate 36878, State Record of Water Right Certificates.

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.

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.

WITNESS the signature of the Water Resources Director, affixed JAN 26 2015.



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

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