

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900
www.oregon.gov/OWRD

This 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.

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed 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 Water Rights to be Transferred: **How many water rights are to be transferred? 2 List them here: Certificates 84202 and 89855**
 Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

- Completed Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- 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 an irrigation district. Complete when the transfer applicant is not the irrigation 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.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500’ from the surface water source and more than 1000’ upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(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"/> Evidence of Use Form not enclosed or incomplete |
| <input type="checkbox"/> Additional signature(s) required | <input type="checkbox"/> Part _____ is incomplete |

Other/Explanation _____

Staff: _____ 503-986-0_____ Date: ____/____/____

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

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

- N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. CWRE stamp and signature are not required for substitutions.
- 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 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), 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°).

Part 4 of 5 – Applicant Information and Signature

Applicant Information

| | | | |
|---|--------------------|---|--|
| APPLICANT/BUSINESS NAME Sunnyside Dairy, LLC (Rosalia Brambila, Manager) | | PHONE NO. (509) 837-4779 office | ADDITIONAL CONTACT NO. (509) 840-4099 Cell |
| ADDRESS 4581 Maple Grove Road | | FAX NO. | |
| CITY Sunnyside | STATE WA | ZIP 89844 | E-MAIL rosalia@sunnysidedairy.com |
| <p>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.</p> | | | |

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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. N/A | |
| CITY Kennewick | STATE WA | ZIP 99336 | E-MAIL mreid@geoengineers.com |
| <p>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.</p> | | | |

Explain in your own words what you propose to accomplish with this transfer application, and why:
Moving water rights off of less productive lands and putting them on more arable and productive lands.
If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

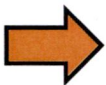
Check One Box

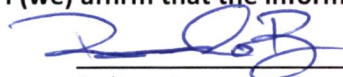
- By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Burns Times-Herald.
- Amendments to the application may only be made in response to the Department’s Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).

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




 Applicant signature

Rosalio Brambila, Sunnyside Dairy
 Print Name (and Title if applicable)

6-14-21
 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 deeded 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) were conveyed.*

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) were conveyed.

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Check the following boxes that apply:

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold? Yes No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see:

https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf

| | | | | |
|--|-------|-----|-----------|------------------------|
| RECEIVING LANDOWNER NAME N/A | | | PHONE NO. | ADDITIONAL CONTACT NO. |
| ADDRESS | | | | FAX NO. |
| CITY | STATE | ZIP | E-MAIL | |

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Describe any special ownership circumstances here: _____

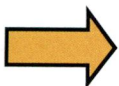
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- Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (**Tip: Complete and attach Supplemental Form D.**)

| | | |
|--|---------|-----|
| IRRIGATION DISTRICT NAME N/A | 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 N/A | ADDRESS | |
| CITY | STATE | ZIP |



To meet State Land Use Consistency Requirements, you must list all county, city, municipal corporation, or tribal governments 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 OR | ZIP 97720 |

| | | |
|-------------|---------|-----|
| ENTITY NAME | ADDRESS | |
| CITY | STATE | ZIP |

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.

CERTIFICATE # **89855**

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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 SW 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 change(s) proposed below (change "CODES" are provided in parentheses):

- Place of Use (POU) Point of Appropriation/Well (POA)

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

- Yes Complete only the Proposed ("to" or "on" 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 Changes to Water Right Certificate # 89855

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

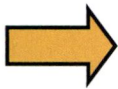
| AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed. | | | | | | | | | | | Proposed Changes (see "CODES" from previous page) | PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made. | | | | | | | | | | | |
|--|-----|-----|------|---------|----------------------|-------|---|---|---------------------|------|---|---|-----|-----|---------|----------------------|-------|--------------------|--|------------------|-----------|------|--|
| Twp | Rng | Sec | ¼ ¼ | 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 | Twp | | Rng | Sec | ¼ ¼ | 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 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:_____.

For Place of Use or Character 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 540.510, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # **N/A**;

Surface water primary Certificate # **N/A**.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **N/A**

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

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

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 | | | | |

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 Changes to Water Right Certificate # 84202

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

| AUTHORIZED (the "from" or "off" 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. | | | | | | | | | | | Proposed Changes (see "CODES" from previous page) | PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made. | | | | | | | | | | | | | | |
|--|-----|-----|---|----|---------|----------------------|-------|---|---|------------------|---|---|-----|-----|----|---|---------|----------------------|--------------|--------------------|--|------------------|------------|------|--|-------|
| Twp | Rng | Sec | ¼ | ¼ | 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 | | Twp | Rng | Sec | ¼ | ¼ | 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:_____.

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For Place of Use or Character of Use Changes

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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 540.510, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # N/A;

Surface water primary Certificate # N/A.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # N/A

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

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

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 6 | Yes | HARN 52027 | 500' | See | Well | Log | | | | |
| Well 7 | Yes | HARN 621 | 257' | See | Well | Log | | | | |
| Well 8 | Yes | HARN 1061 | 135' | See | Well | Log | | | | |
| | | | | | | | | | | |

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Attachment #2

Evidence of Use Affidavit and Power Records
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)

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I, ROSALIO BRAMBILA, in my capacity as FARM 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 UNDER T-13199 AND T-11985; **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 # _____ 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.

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[Handwritten Signature]

Signature of Affiant

6-14-21

Date

Signed and sworn to (or affirmed) before me this 14 day of June, 2021.



Michelle Z. Rhode
Notary Public for Oregon *in and for the State of WA*

My Commission Expires: 12/30/24

| Supporting Documents | Examples |
|--|--|
| <input 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.terra-server.com</p> |
| <input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years | Copy of instream lease or lease number |

Pump 1

HARNEY ELEC COOPERATIVE, INC.

05/24/2021 11:20:42 am

CUSTOMER PROFILE/BILLING HIST

Page: 1

Customer: [REDACTED]

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

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

Account: [REDACTED] Cycle Code: 2 Invoice Group: 1778

Provider: COOP - HARNEY ELECTRIC COOP Service: ELEC - ELECTRIC SERVICE

AR Information:

| | | | | | |
|----------------|----------|--------------|-----|--------------|-----|
| Total AR: | 1,006.77 | Budget Due: | .00 | Annual Due: | .00 |
| Total Current: | 1,006.77 | 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: 12/28/2020 Payment Amt: -.93

Location: 6822

Srv Map Loc: B103
Srv Desc: 100+6 HP IRR
Srv Address: NORTH JMK FARMS
Prim Rate Sched:IR1

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

Billing History Usage Summary:

| Rev YrMo | Usage | Act Dmd | Bld Dmd | KVAR Usage | KVA Use |
|-----------|---------|---------|---------|------------|---------|
| May 2020 | 1,894 | 64.680 | 64.680 | 1188.000 | .000 |
| Jun 2020 | 39,751 | 64.680 | 64.680 | 26011.000 | .000 |
| Jul 2020 | 4,126 | 61.030 | 61.030 | 2815.000 | .000 |
| Aug 2020 | 29,064 | 62.350 | 62.350 | 19642.000 | .000 |
| Sep 2020 | 28,491 | 62.490 | 62.490 | 20618.000 | .000 |
| Oct 2020 | 6,311 | 62.490 | 62.490 | 4823.000 | .000 |
| Nov 2020 | 24 | 61.490 | 61.490 | 65.000 | .000 |
| Dec 2020 | 14 | 1.770 | 1.770 | 35.000 | .000 |
| Totals: | 109,675 | 440.980 | 440.980 | 75197.000 | .000 |
| Averages: | 13,709 | 55.123 | 55.123 | 9399.625 | .000 |

Billing History Revenue Summary:

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HARNEY ELEC COOPERATIVE, INC.

05/24/2021 11:20:42 am

CUSTOMER PROFILE/BILLING HIST

Page: 2

| Rev YrMo | Bill Dt | Revenue | Demand | Device | PCA | Other | Tax | Adjust | Total |
|-----------|------------|------------|--------|--------|--------|-------------|--------|--------|------------|
| May 2020 | 05/06/2020 | 156.26 | .00 | .00 | .00 | -22.92 | .00 | .00 | 133.34 |
| Jun 2020 | 06/05/2020 | 2,881.95 | .00 | .00 | .00 | -576.39 | .00 | .00 | 2,305.56 |
| Jul 2020 | 07/06/2020 | 299.14 | .00 | .00 | .00 | -59.83 | .00 | .00 | 239.31 |
| Aug 2020 | 08/05/2020 | 2,107.14 | .00 | .00 | .00 | -421.43 | .00 | .00 | 1,685.71 |
| Sep 2020 | 09/03/2020 | 2,065.60 | .00 | .00 | .00 | -413.12 | .00 | .00 | 1,652.48 |
| Oct 2020 | 10/02/2020 | 457.55 | .00 | .00 | .00 | -91.51 | .00 | .00 | 366.04 |
| Nov 2020 | 11/06/2020 | 1.98 | .00 | .00 | .00 | -.40 | .00 | .00 | 1.58 |
| Dec 2020 | 12/07/2020 | 1.16 | .00 | .00 | .00 | -.23 | .00 | .00 | .93 |
| Totals: | | \$7,970.78 | \$.00 | \$.00 | \$.00 | \$-1,585.83 | \$.00 | \$.00 | \$6,384.95 |
| Averages: | | \$996.35 | \$.00 | \$.00 | \$.00 | \$-198.23 | \$.00 | \$.00 | \$798.12 |

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Pump 2

OWRD

HARNEY ELEC COOPERATIVE, INC.

05/24/2021 11:19:24 am

CUSTOMER PROFILE/BILLING HIST

Page: 1

Customer: [REDACTED]

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

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

Account: [REDACTED]

Cycle Code: 2 Invoice Group: 1778

Provider: COOP - HARNEY ELECTRIC COOP Service: ELEC - ELECTRIC SERVICE

AR Information:

Total AR: 1,108.80 Budget Due: .00 Annual Due: .00
Total Current: 1,108.80 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: 10/26/2020 Payment Amt: -883.92

Location: 7683

Srv Map Loc: AD131AL010L7L6
Srv Desc: 100 hp irr
Srv Address: NORTH OF JMK
Prim Rate Sched:IR1

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

Billing History Usage Summary:

| Rev YrMo | Usage | Act Dmd | Bld Dmd | KVAR Usage | KVA Use |
|-----------|---------|---------|---------|------------|---------|
| May 2020 | 4,800 | 83.600 | 83.600 | 1160.000 | .000 |
| Jun 2020 | 52,040 | 84.400 | 84.400 | 12240.000 | .000 |
| Jul 2020 | 18,640 | 84.400 | 84.400 | 4280.000 | .000 |
| Aug 2020 | 47,000 | 81.600 | 81.600 | 10480.000 | .000 |
| Sep 2020 | 44,240 | 81.200 | 81.200 | 9920.000 | .000 |
| Oct 2020 | 15,240 | 81.200 | 81.200 | 3280.000 | .000 |
| Nov 2020 | 0 | .000 | .000 | .000 | .000 |
| Dec 2020 | 0 | .000 | .000 | .000 | .000 |
| Totals: | 181,960 | 496.400 | 496.400 | 41360.000 | .000 |
| Averages: | 22,745 | 62.050 | 62.050 | 5170.000 | .000 |

Billing History Revenue Summary:

HARNEY ELEC COOPERATIVE, INC.

05/24/2021 11:19:24 am

CUSTOMER PROFILE/BILLING HIST

Page: 2

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| Rev YrMo | Bill Dt | Revenue | Demand | Device | PCA | Other | Tax | Adjust | Total |
|-----------|------------|-------------|--------|--------|--------|-------------|--------|--------|-------------|
| May 2020 | 05/06/2020 | 396.00 | .00 | .00 | .00 | -70.86 | .00 | .00 | 325.14 |
| Jun 2020 | 06/05/2020 | 3,772.90 | .00 | .00 | .00 | -754.58 | .00 | .00 | 3,018.32 |
| Jul 2020 | 07/06/2020 | 1,351.40 | .00 | .00 | .00 | -270.28 | .00 | .00 | 1,081.12 |
| Aug 2020 | 08/05/2020 | 3,407.50 | .00 | .00 | .00 | -681.50 | .00 | .00 | 2,726.00 |
| Sep 2020 | 09/03/2020 | 3,207.40 | .00 | .00 | .00 | -641.48 | .00 | .00 | 2,565.92 |
| Oct 2020 | 10/02/2020 | 1,104.90 | .00 | .00 | .00 | -220.98 | .00 | .00 | 883.92 |
| Totals: | | \$13,240.10 | \$.00 | \$.00 | \$.00 | \$-2,639.68 | \$.00 | \$.00 | \$10,600.42 |
| Averages: | | \$2,206.68 | \$.00 | \$.00 | \$.00 | \$-439.95 | \$.00 | \$.00 | \$1,766.74 |

JUN 17 2021

Pump 3

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HARNEY ELEC COOPERATIVE, INC.

05/24/2021 11:21:16 am

CUSTOMER PROFILE/BILLING HIST

Page: 1

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

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

AR Information:

| | | | | | |
|----------------|----------|--------------|-----|--------------|-----|
| Total AR: | 2,178.00 | Budget Due: | .00 | Annual Due: | .00 |
| Total Current: | 2,178.00 | 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: 12/28/2020 Payment Amt: -21.12

Location: 7658 Srv Map Loc: B109A
 Srv Desc: 200+33 hp irr
 Srv Address: BURNS
 Prim Rate Sched:IR1

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

Billing History Usage Summary:

| Rev YrMo | Usage | Act Dmd | Bld Dmd | KVAR Usage | KVA Use |
|-----------|---------|---------|---------|------------|---------|
| May 2020 | 7,720 | 155.600 | 155.600 | 6080.000 | .000 |
| Jun 2020 | 85,080 | 155.600 | 155.600 | 65560.000 | .000 |
| Jul 2020 | 9,480 | 132.400 | 132.400 | 7760.000 | .000 |
| Aug 2020 | 64,360 | 143.600 | 143.600 | 49600.000 | .000 |
| Sep 2020 | 65,880 | 132.800 | 132.800 | 50880.000 | .000 |
| Oct 2020 | 22,760 | 133.600 | 133.600 | 18560.000 | .000 |
| Nov 2020 | 120 | 133.600 | 133.600 | 200.000 | .000 |
| Dec 2020 | 320 | 1.600 | 1.600 | 400.000 | .000 |
| Totals: | 255,720 | 988.800 | 988.800 | 199040.000 | .000 |
| Averages: | 31,965 | 123.600 | 123.600 | 24880.000 | .000 |

Billing History Revenue Summary:

HARNEY ELEC COOPERATIVE, INC.

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CUSTOMER PROFILE/BILLING HIST

Page: 2

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| Rev YrMo | Bill Dt | Revenue | Demand | Device | PCA | Other | Tax | Adjust | Total |
|-----------|------------|-------------|--------|--------|--------|-------------|--------|--------|-------------|
| May 2020 | 05/06/2020 | 636.90 | .00 | .00 | .00 | -119.04 | .00 | .00 | 517.86 |
| Jun 2020 | 06/05/2020 | 6,168.30 | .00 | .00 | .00 | -1,233.66 | .00 | .00 | 4,934.64 |
| Jul 2020 | 07/06/2020 | 687.30 | .00 | .00 | .00 | -137.46 | .00 | .00 | 549.84 |
| Aug 2020 | 08/05/2020 | 4,666.10 | .00 | .00 | .00 | -933.22 | .00 | .00 | 3,732.88 |
| Sep 2020 | 09/03/2020 | 4,776.30 | .00 | .00 | .00 | -955.26 | .00 | .00 | 3,821.04 |
| Oct 2020 | 10/02/2020 | 1,650.10 | .00 | .00 | .00 | -330.02 | .00 | .00 | 1,320.08 |
| Nov 2020 | 11/06/2020 | 9.90 | .00 | .00 | .00 | -1.98 | .00 | .00 | 7.92 |
| Dec 2020 | 12/07/2020 | 26.40 | .00 | .00 | .00 | -5.28 | .00 | .00 | 21.12 |
| Totals: | | \$18,621.30 | \$0.00 | \$0.00 | \$0.00 | \$-3,715.92 | \$0.00 | \$0.00 | \$14,905.38 |
| Averages: | | \$2,327.66 | \$0.00 | \$0.00 | \$0.00 | \$-464.49 | \$0.00 | \$0.00 | \$1,863.17 |

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Attachment #3
FROM and TO Well Logs
Transfer Application for Sunnyside Dairy, LLC
Certificates 84202 and 89855

WATER WELL REPORT
STATE OF OREGON

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

Harn 1071

(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
ELBV - 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 None
" Diam. from None ft. to None ft. Gage None
" Diam. from None ft. to None ft. Gage None

(7) PERFORATIONS:

Perforated? Yes No
Type of perforator used
SIZE of perforations (in. by in.)
perforations from None ft. to None ft.
perforations from None ft. to None ft.
perforations from None ft. to None ft.
perforations from None ft. to None ft.
perforations from None ft. to None ft.

(8) SCREENS:

Well screen installed Yes No
Manufacturer's Name None
Type None Model No. None
Diam. Slot size Set from None ft. to None ft.
1. Slot size Set from None ft. to None ft.

(9) CONSTRUCTION:

Was well gravel packed? Yes No Size of gravel: None
Gravel placed from None ft. to None ft.
Was a surface seal provided? Yes No To what depth? None ft.
Material used in seal—
Did any strata contain unusable water? Yes No
Type of water? None Depth of strata None
Method of sealing strata off None

(10) WATER LEVELS:

Static level 21 ft. below land surface Date 8/1/60
Artesian pressure None lbs. per square inch Date None

Log Accepted by: John W. Rossberg

[Signed] John W. Rossberg Date 8/1/60, 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? None
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 |
| BOULDERS | 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 in complete 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 name)
Address Box 443 Burns, OREG.

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

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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App 6229
1072
Harn

WATER WELL DRILLERS REPORT
STATE OF OREGON

Do Not State Well No. 34
Fill In State Permit No. G-144

(1) OWNER:

Name John W. Rossberg
Address Box 443 Burns, Oreg.

(10) WELL TESTS:

Was a pump test made? Yes No If yes, by whom?
Yield: 800 gal./min. with 60 ft. draw down after 24 hrs.
" " " " " " " "
" " " " " " " "
Artesian flow g.p.m.
Shut-in pressure lbs. per square inch.
Bailer test g.p.m. with ft. drawdown
Temperature of water Was a chemical analysis made? Yes No
Was electric log made of well? Yes No

31R(2)

(2) LOCATION OF WELL:

County Harney Owner's number, if any 2
R. F. D. or Street No. Box 443 Burns Oreg.
Bearing and distance from section or subdivision corner
Extrem. NE corner of A
ELEV. - 4167'

(3) TYPE OF WORK (check):

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

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other

(5) EQUIPMENT:

Rotary
Cable
Dug Well

(6) CASING INSTALLED:

Threaded Welded
Type and size of shoe or well ring None Size of gravel:
Describe joint WELDED

| FROM | ft. to | ft. | Diam. | Gage or Wall | Diameter of Bore | from ft. | to ft. |
|------|--------|-----|---------|--------------|------------------|----------|--------|
| 0" | "68" | " | "3 1/2" | 189 | | | |
| " | " | " | " | " | | | |
| " | " | " | " | " | | | |
| " | " | " | " | " | | | |

(7) PERFORATIONS:

Type of perforator used
SIZE of perforations in., length, by in.
Type of perforations in., length, by in.
Type of perforations in., length, by in.
Type of perforations in., length, by in.
Type of perforations in., length, by in.

SCREENS:

Give Manufacturer's Name, Model No. and Size None

(8) CONSTRUCTION:

Was a surface sanitary seal provided? Yes No To what depth ft.
Were any strata sealed against pollution? Yes No
If yes, note depth of strata
FROM ft. to ft.
METHOD OF SEALING

(9) WATER LEVELS:

Depth at which water was first found 18 ft.
Standing level before perforating 18 ft.
Standing level after perforating 18 ft.
Log Accepted by: John W. Rossberg
[Signed] John W. Rossberg Owner Dated 5-20-56, 1956

(11) WELL LOG:

Diameter of well, 3 1/2 inches.
Total depth 128 ft. Depth of completed well 128 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.

| ft. to | ft. |
|--------|-----------------------------|
| 0 | "6' TOP SOIL |
| 6 | "16' Hard clay |
| 16 | "24' Sandy stone water |
| 25 | "35' Sandstone |
| 35 | "45' SAND GRAVEL |
| 45 | "58' gravel rock water |
| 58 | "58' PUMPS Sandstone |
| 58 | "70' SANDSTONE |
| 70 | "102' BLUE SHALE |
| 102 | "126' CLAY CONCRETE |
| 126 | "128' RIVER BED SAND GRAVEL |

Deepen - to 301 ft. 1962

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Ground elevation at well site feet above mean sea level.
Work started FEB 25 1956 Completed AUG 20 1956

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 Jack Webber (Person, firm, or corporation) (Typed or printed)
Address C. R. ANE OREGON
Driller's well number
[Signed] Jack Webber Well Driller
License No. 124 Dated June 1, 1956

OBSERVATION WELL

RECEIVED

JUL 26 1962

NOTICE TO WATER WELL CONTRACTOR

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

STATE ENGINEER, SALEM 10, OREGON, within 30 days from the date of well completion.

WATER WELL REPORT

STATE OF OREGON (Please type or print)

State Well No. 24/34-31M(1) M State Permit No.

cbd

1069

(1) OWNER:

Name JOHN ROSSBURG Address CRAIN OREGON

(2) LOCATION OF WELL:

County Clatsop Driller's well number #3 NEW NE 1/4 SW 1/4 Section 31 T24S R34E W.M. No. EAST CORNER OF LOT 4

(3) TYPE OF WORK (check):

New Well [X] Deepening [] Reconditioning [] Abandonment []

(4) PROPOSED USE (check):

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

(5) TYPE OF WELL:

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

(6) CASING INSTALLED:

12" Diam. from 0 ft. to 110 ft. Gage 31/16

(7) PERFORATIONS:

Perforated? [X] Yes [] No Type of perforator used TORCH Size of perforations 1/4 in. by 4 in. 1000 perforations from 50 ft. to 100 ft.

(8) SCREENS:

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

(9) CONSTRUCTION:

Well seal—Material used in seal Depth of seal ft. Was a packer used? Diameter of well bore to bottom of seal in. Were any loose strata cemented off? [] Yes [X] No Depth Was a drive shoe used? [] Yes [X] No Was well gravel packed? [X] Yes [] No Size of gravel: 1/4 to 3/4 inch Gravel placed from TOP ft. to 110 ft. Did any strata contain unusable water? [X] Yes [] No Depth of strata 90'

(10) WATER LEVELS:

Static level 12 ft. below land surface Date July 10-62 Artesian pressure lbs. per square inch Date

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level Was a pump test made? [X] Yes [] No If yes, by whom? ROSSBURG + S Yield: 600 gal./min. with 70 ft. drawdown after 5 hrs.

(12) WELL LOG:

Diameter of well below casing Depth drilled 110 ft. Depth of completed well 110 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.

Table with columns MATERIAL, FROM, TO. Rows: TOP SOIL (0-23), CLAY & FINE SAND (23-61), GRAVEL COURSE (61-94), CLAY BROWN (94-110)

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Work started MAY 14 1962 Completed JUNE 10 1962 Date well drilling machine moved off of well 19

(13) PUMP:

Manufacturer's Name Type: H.P.

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 MCGUIRE DRILLING Co (Person, firm or corporation) (Type or print)

Address Box 909 BURNS ORE

Drilling Machine Operator's License No.

[Signed] J. G. McGuire (Water Well Contractor)

Contractor's License No. 383 Date July 10, 1962

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AUG 17 1960

OBSERVATION WELL

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

WATER WELL REPORT
STATE ENGINEER STATE OF OREGON

1067
HARN

State Well No. 24/34E-316
State Permit No. 8144 acb

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

(2) LOCATION OF WELL:
County Harney Owner's number, if any- #4
1/4 Section 31 T. 24S R. 34E W.M.
Bearing and distance from section or subdivision corner

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.
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 26 ft. below land surface Date 3/28/60
Artesian pressure lbs. per square inch Date

Log Accepted by:
[Signed] John W. Rossberg 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.
" " " " "
" " " " "
Ballor 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 SAND STONE | 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 seams & pores 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: NONE
Manufacturer's Name NONE
Type: H.P. JUN 17 20

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

WATER WELL REPORT
STATE OF OREGON

State Well No. 24/34E-31C
State Permit No. 144 *ba*

1068
Horn

(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. 24S R. 34E W.M.
Bearing and distance from section or subdivision corner

(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: Threaded Welded
14" Diam. from 0 ft. to 10 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— 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 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 26 1/2" TOP SOIL | 0 | 7 |
| HARD PAN | 7 | 28 |
| SANDSTONE (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 | 503 |

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 sign)
Address Box 443 Burns, Oregon
Driller's well number _____
[Signed] John W. Rossberg (Weil Driller)
License No. 272 Date 7/5, 1960

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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, From, To, Material, From, To, Amount, Scks/lbs. Rows include Bentonite seal data.

How was seal placed: Method A B C D E
Other POURED DRY
Backfill placed 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, From, To, Gauge, Steel, Plastic, Welded, Thrd.

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, Casing, Liner, Screen Dia, From, To, Screen/slot width, Slot length, # of slots, Tele/pipe size.

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

Table with columns: From, To, Description, Amount, Units. Includes temperature and water quality concerns.

(9) LOCATION OF WELL (legal description)
County HARNEY Twp 23 N of S 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 DMS or DD

Street Address of Well (or nearest address) 5901 QUINCEY RD. CRANE

(10) STATIC WATER LEVEL
Table with columns: Existing Well/Predeepening, Completed Well, Date, SWL (psi), SWL (ft).

WATER BEARING ZONES
Table with columns: SWL Date, From, To, Est Flow, SWL (psi), SWL (ft).

(11) WELL LOG
Table with columns: Material, From, To. Includes layers like SANDY TOPSOIL, TAN 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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JUN 17 2014

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JUN 17 2021

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Attachment #4

Certificates 84202 and 89855

Transfer Application for Sunnyside Dairy, LLC

Certificates 84202 and 89855

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JUN 17 2021

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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 |

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 | | | | | | | |
|------------|------|-----|-----|-------|------|-----|-------|
| Twsp | 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.

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.

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.

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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 |

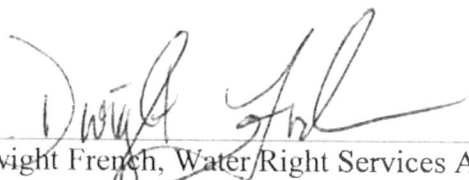
| IRRIGATION WELLS 1, 2, 3, 4, AND 5 | | | | | | |
|---------------------------------------|------|-----|-----|-------|------|-------|
| Twp | Rng | Mer | Sec | Q-Q | GLot | Acres |
| 24 S | 34 E | WM | 31 | NE SW | | 39.2 |
| 24 S | 34 E | WM | 31 | NW SW | 3 | 36.5 |
| 24 S | 34 E | WM | 31 | SW SW | 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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JUN 17 2021

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Attachment #5
Land Use Information Form
Transfer Application for Sunnyside Dairy, LLC
Certificates 84202 and 89855

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

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JUN 17 2021

OWRD

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 transfer water rights (Certificates 84202 and 89855) from one Sunnyside property to another Sunnyside property to accommodate crops on more arable and productive ground.



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.

For Local Government Use Only

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): HCZO 3.020 / EFLV-2
- 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 |
| | | <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 McMillan Title: Planning Director

Signature: [Signature] Phone: (911) 573-6655 Date: 4/29/2021

Government Entity: Hannay 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: _____

RECEIVED

JUN 17 2021

OWRD

GEOENGINEERS 

8019 West Quinault Avenue, Suite 201
Kennewick, Washington 99336
509.209-2846

June 14, 2021

Kelly Starnes, Transfer Section
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

RE: Permanent Transfer Application for Sunnyside Dairy, LLC
Certificates 84202 and 89855

Dear Mr. Starnes:

Enclosed please find a reimbursement authority estimate request and completed permanent transfer application with supporting documents submitted on behalf of our client, Sunnyside Dairy, LLC. A check in the amount of \$4,770.00 for application fees and a check in the amount of \$125 for the reimbursement authority estimate are also enclosed.

Should you have any questions regarding this application packet, please do not hesitate to contact me.

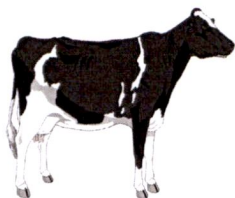
Sincerely,



Molly Reid
Senior Planner

Cc: Sunnyside Dairy, LLC
File





Sunnyside Dairy, LLC
4581 Maple Grove Road
Sunnyside, WA. 98944
509-837-4779 office 509-837-4372 fax

June 24, 2021

Tamera Smith, Caseworker
Transfer Section
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

RE: Additional Fees for Sunnyside Dairy Transfer Application submitted June of 2021

Dear Ms. Smith:

Enclosed please find the additional \$350 in fees to complete the submittal of a transfer application on behalf of Sunnyside Dairy LLC. The additional fees are submitted per your email request of June 22, 2021.

Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Brambila'.

Rosalio Brambila, Manager
Sunnyside Dairy LLC
4581 Maple Grove Road
Sunnyside, WA 98944

Cc: Molly Reid, GeoEngineers, Inc.

RECEIVED

JUN 30 2021

OWRD