

## STATE OF OREGON

COUNTY OF MALHEUR

## CERTIFICATE OF WATER RIGHT

**This Is to Certify, That** DAVE ETCHART

of McDermitt, State of Nevada, 89421, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Simpson Creek, Pole Creek, two unnamed streams, Rock Creek, Trail Creek, and Oregon Canyon Creek a tributary of McDermitt Creek in Nevada for the purpose of irrigation of 383.0 acres

under Permit No. 32610 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from May 17, 1967

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 4.79 cubic feet per second, being 0.75 c.f.s. from Simpson Creek, 0.75 c.f.s. from Pole Creek, 0.50 c.f.s. from each of two unnamed streams, 0.50 c.f.s. from Rock Creek, 0.50 c.f.s. from Trail Creek and 1.29 c.f.s. from Oregon Canyon\* or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located in the SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 27, SE $\frac{1}{4}$  SW $\frac{1}{4}$ , NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 22, SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 15, SW $\frac{1}{4}$  NW $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 16, SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 2, T. 39 S., R. 41 E., W. M., Simpson Creek-1890 feet South and 1500 feet West from the E $\frac{1}{4}$  Corner, Section 27; Pole Creek-westerly 1310 feet South and 1870 feet West, easterly 1000 feet South and 1430 feet West, both from the NE Corner\*\*

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 acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

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2.8 acres SW $\frac{1}{4}$  NE $\frac{1}{4}$   
0.6 acre NW $\frac{1}{4}$  NW $\frac{1}{4}$   
36.8 acres SW $\frac{1}{4}$  NW $\frac{1}{4}$   
19.5 acres SE $\frac{1}{4}$  NW $\frac{1}{4}$   
40.0 acres NE $\frac{1}{4}$  SW $\frac{1}{4}$   
40.0 acres NW $\frac{1}{4}$  SW $\frac{1}{4}$   
29.3 acres SW $\frac{1}{4}$  SW $\frac{1}{4}$   
29.4 acres SE $\frac{1}{4}$  SW $\frac{1}{4}$   
36.1 acres NW $\frac{1}{4}$  SE $\frac{1}{4}$   
29.4 acres SW $\frac{1}{4}$  SE $\frac{1}{4}$   
Section 1

9.0 acres NE $\frac{1}{4}$  NE $\frac{1}{4}$   
0.7 acre NW $\frac{1}{4}$  NE $\frac{1}{4}$   
0.1 acre SW $\frac{1}{4}$  NE $\frac{1}{4}$   
40.0 acres SE $\frac{1}{4}$  NE $\frac{1}{4}$   
40.0 acres NE $\frac{1}{4}$  SE $\frac{1}{4}$   
29.3 acres SE $\frac{1}{4}$   
Section 2

T. 39 S., R. 41 E., W. M.

\* Creek

\*\* SW $\frac{1}{4}$  SE $\frac{1}{4}$ ; South unnamed stream-2730 feet South and 830 feet East, North unnamed stream-230 feet North and 1540 feet East, Rock Creek-2700 feet North and 4520 feet West; Trail Creek-790 feet North and 2790 feet West, all from the SE Corner, Section 16, and Oregon Canyon Creek-1680 feet South and 1820 feet West from the NE Corner, Section 2

*The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described. and is subject to the existing minimum flow policies established by the Water Policy Review Board.*

*WITNESS the signature of the Water Resources Director, affixed*

*this date.      October 17, 1977*

.....James E. Sexson.....  
*Water Resources Director*