

STATE OF OREGON  
COUNTY OF MALHEUR  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HENRY NIGHTENGALE  
MARIETTA NIGHTENGALE  
8050 CHERRY BLOSSOM DR  
WINDSOR CO 80550

confirms the right to use the waters of DRAWS in W1/2NW1/4 SECTION 36, T16S, R47E, W.M. for IRRIGATION of 58.57 ACRES.

This right was perfected under Permit S-2945. The date of priority is MAY 29, 1916. 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 0.74 CUBIC FOOT PER SECOND, or its equivalent in case of rotation. The use hereunder shall conform to any reasonable rotation system ordered by the proper State Officer.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
16 S	47 E	WM	36	SE NW	NORTH 44 DEGREES 38 MINUTES 22 SECONDS WEST, 3701 FEET TO NW CORNER, SECTION 36

A description of the lands under such right, and to which the water is hereby confirmed is appurtenant, or if for other purposes, the place where such water is put to beneficial use, is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
16 S	47 E	WM	36	NE NW	1	1.31
16 S	47 E	WM	36	SW NW		13.82
16 S	47 E	WM	36	SE NW	2	29.78
16 S	47 E	WM	36	NW SW		13.66

The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
16 S	47 E	WM	36	W1/2NW1/4	SOUTH 20 DEGREES 57 MINUTES 17 SECONDSEAST, 2063 FEET FROM NW CORNER, SECTION 36

The water user shall operate and maintain the fish screen at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

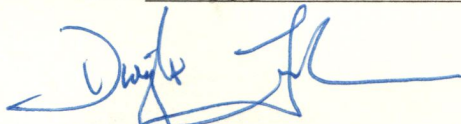
**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered APRIL 6, 2015, at Special Order Volume 95, Page 428 and superseded on DECEMBER 24, 2015, at Special Order Volume 98, Page 519, approving Transfer Application T-11764, and together with Certificate 90162, supersedes Certificate 2334, State Record of Water Right Certificates.

Issued JUL 16 2021.



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