

STATE OF OREGON
 COUNTY OF HARNEY
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DAN NICHOLS
 48642 MCCOY CREEK RD
 DIAMOND OR 97722

confirms the right to the use of water perfected under the terms of Permit G-9324. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the well(s). The specific limits and conditions of the use are listed below.

SOURCE OF WATER: TWO WELLS IN THE MALHEUR LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 106.3 ACRES

MAXIMUM RATE: 1.33 CUBIC FEET PER SECOND

DATE OF PRIORITY: APRIL 7, 1981

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	33 E	WM	19	NE NW	WELL 1 - 90 FEET SOUTH AND 30 FEET WEST FROM N1/4 CORNER, SECTION 19
26 S	33 E	WM	19	SW SW	WELL 6 - 280 FEET NORTH AND 10 FEET EAST FROM SW CORNER, SECTION 19

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

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
26 S	33 E	WM	19	NE SW		31.1
26 S	33 E	WM	19	NW SW	3	24.4
26 S	33 E	WM	19	SW SW	4	22.2
26 S	33 E	WM	19	SE SW		28.6

The quantity of water diverted at the new points of appropriation (Well 1 and 6) shall not exceed the quantity of water lawfully available from the original point of appropriation (Well 5) described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	33 E	WM	28	SE SW	WELL 5 - 6500 FEET NORTH AND 2690 FEET WEST FROM SE CORNER, SECTION 33

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

Water measurement conditions:

- A. The water user shall maintain the totalizing flow meter or other suitable measuring device, as approved by the Director, in good working order, at each point of appropriation (new and existing).
- B. The water user shall allow the watermaster access to the meters or measuring devices; provided however, where any meters or measuring devices are located within a private structure, the watermaster shall request access upon reasonable notice.

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

The use of the water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

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.

This certificate is issued to confirm a change in PLACE OF USE and POINT OF APPROPRIATION approved by an order of the Water Resources Director entered September 10, 2019, at Special Order Volume 113, Page 1093, approving Transfer Application T-12377, and together with Certificate 94430, supercedes Certificate 91751, State record of Water Right Certificates.

Issued JUN 16 2023



Dwight French
Water Right Services Division Administrator, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department