

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CHARLES EGGERT
LOUANNA EGGERT
18555 SW TETON AVE
TUALATIN OR 97062

NORTHWEST FARM CREDIT SERVICES FLCA
650 HAWTHORNE AVE SE, STE 210
SALEM, OR 97301

confirms the right to the use of water perfected under the terms of Permit G-16257. 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 wells. The specific limits and conditions of the use are listed below.

SOURCE: WELL #1, WELL #2 (MALH 2323), WELL #4, WELL #8, WELL #10, WELL #11, AND WELL #12 IN HARNEY LAKE BASIN
USE: IRRIGATION USE ON 276.6 ACRES

RATE: 3.38 CUBIC FEET PER SECOND (CFS), FURTHER LIMITED TO 0.92 CFS FROM WELL #1, 0.83 CFS FROM WELL #2, 1.20 CFS FROM WELL #7, 3.38 CFS FROM WELL #8 AND WELL #12, AND 2.19 CFS FROM WELL #10 AND WELL #11, A MAXIMUM CUMULATIVE TOTAL FOR ALL WELLS NOT TO EXCEED 3.38 CFS

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

PRIORITY DATE: JANUARY 13, 2006

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	30 E	WM	9	SW NE	WELL #11 (ADDITIONAL) - 2720 FEET NORTH AND 1400 FEET WEST FROM SE CORNER, SECTION 9
26 S	30 E	WM	10	SW SW	WELL #10 (ADDITIONAL) - 65 FEET NORTH AND 1255 FEET EAST FROM SW CORNER, SECTION 10
26 S	30 E	WM	15	SE NE	WELL #2 (ORIGINAL) - 2621 FEET NORTH AND 9878 FEET EAST FROM SW CORNER, SECTION 16
26 S	30 E	WM	16	NE NE	WELL #7 (ADDITIONAL) - 25 FEET SOUTH AND 320 FEET WEST FROM NE CORNER, SECTION 16
26 S	30 E	WM	16	NW SW	WELL #1 (NEW) - 2464 FEET NORTH AND 286 FEET EAST FROM SW CORNER, SECTION 16
26 S	30 E	WM	16	SE SE	WELL #8 (ADDITIONAL) - 600 FEET NORTH AND 185 FEET WEST FROM SE CORNER, SECTION 16
26 S	30 E	WM	16	SE SE	WELL #12 (ADDITIONAL) - 40 FEET NORTH AND 775 FEET WEST FROM SE CORNER, SECTION 16

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 amount of water used for irrigation under this right, 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 and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	30 E	WM	10	SW SW	22.8
26 S	30 E	WM	15	NW NE	5.8
26 S	30 E	WM	15	SW NE	26.1
26 S	30 E	WM	15	SE NE	9.8
26 S	30 E	WM	15	NE NW	24.0
26 S	30 E	WM	15	NW NW	23.3
26 S	30 E	WM	15	SW NW	28.8
26 S	30 E	WM	15	SE NW	40.0
26 S	30 E	WM	15	NE SW	29.9
26 S	30 E	WM	15	NW SW	11.6
26 S	30 E	WM	15	NE SE	35.2
26 S	30 E	WM	15	NW SE	19.3

Measurement, recording, and reporting conditions:

- a) The water user shall maintain the totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation, 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 right.
- b) The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

The wells shall produce ground water only from the basalt and volcanic sediments ground water reservoir.

The quantity of water diverted at the new and additional points of appropriation (Wells #7, #8, #10, #11, #12 and New Well #1, together with that diverted at the original point of appropriation (Well #2 (MALH 2323)), shall not exceed the quantity of water lawfully available at the original points of appropriation (Wells #1 (HARN 50472) and Well #2 (MALH 2323)), as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	30 E	WM	10	SE SW	WELL #1 (HARN 50472) – 5316 FEET NORTH AND 6728 FEET EAST FROM THE SW CORNER OF SECTION 16

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

To monitor the effect of water use from Well #1 (HARN 50472), the Department may require the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

To monitor the effect of water use from Well #2 (MALH 2323), the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

For Well #2, measurements must be made according to the following schedule:

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurements requirement is stopped, the Director may restart it as any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licenses by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department required the individual performing the measurement to:

- A. Identify each well with its associated measurement; and
- B. Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- C. Specify the method used to obtain each well measurement; and
- D. Certify the accuracy of all measurements and calculations submitted to the Department.

The reference level against which any future measurements will be compared is 102.70 feet below land surface for WELL #1 (HARN 50472).

The reference level against any future measurements will be compared is 130.30 feet below land surface for WELL #2 (MALH 2323).

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if annual water level measurements reveal any of the following events:

- A. An average water level decline of three or more feet per year for five consecutive years; or
- B. A water level decline of 15 or more feet in fewer than five consecutive years; or
- C. A water level decline of 25 or more feet; or
- D. Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The period of non-use or restricted use shall continue until water level rises above the decline level which triggered the action until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance all excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this right. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

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 interference.

The well(s) 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 the water level elevation in the well at all times.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filled by such water users with eh watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

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 beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation 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 plans.

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

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

This certificate is issued to confirm a change in POINT OF APPROPRIATION, ADDITIONAL POINTS OF APPROPRIATION AND A CHANGE IN PLACE OF USE approved by an order of the Water Resources Director entered FEBRUARY 16, 2022, at Special Order Volume 122, Page 490, approving Transfer Application T-13409, supersedes Certificate 94527, State record of Water Right Certificates.

Issued DEC 19 2025.

A handwritten signature in blue ink, appearing to read 'D French', is written over the signature line.

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