

## STATE OF OREGON

## COUNTY OF GRANT

## CERTIFICATE OF WATER RIGHT

## THIS CERTIFICATE ISSUED TO

BLUE MOUNTAIN ANGUS, LLC  
STEVE MULLIN  
CAROLYN MULLIN  
64444 INDIAN CREEK RD  
PRAIRIE CITY, OR 97869

confirms the right to the use of waters as limited and conditioned below. 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 point of diversion from the source.

This right was confirmed by decree of the Circuit Court of the State of Oregon for GRANT COUNTY. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 15, at Page 461.

SOURCE OF WATER: INDIAN CREEK

PURPOSE OR USE: IRRIGATION, DOMESTIC AND STOCK

DATE OF PRIORITY: 1877

The point of diversion is located as follows:

Twtp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	33 E	WM	10	NE NW	POD 2 (JOHN LONG DITCH)- 9450 FEET SOUTH AND 3850 FEET EAST FROM NW CORNER, SECTION 33 TOWNSHIP 13 SOUTH RANGE 33 EAST

That the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed ONE-FORTIETH cubic foot per second per acre irrigated to June 1 and ONE-EIGHTIETH cubic foot per second per acre thereafter; further limited to 1.0 acre-foot per calendar month to June 1 and 4.0 acre-feet per acre during season April 1 through September 30, measured at point of diversion.

A description of the place of use is as follows:

IRRIGATION, DOMESTIC AND STOCK						
Twtp	Rng	Mer	Sec	Q-Q	GLot	Acres
14 S	33 E	WM	3	NW SW		9.7
14 S	33 E	WM	4	SE NE	1	22.8
14 S	33 E	WM	4	NE SE		7.5

**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 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	Ditch
14 S	33 E	WM	3	NW SW	HILLIS DITCH

The use of stock water at the new place of use under this water right shall be limited to one-tenth of a cubic foot per second per each one thousand head of stock.

No more than a total combined quantity of 1.5 cubic feet per second of water at any one time, or less depending upon weather conditions, for Hillis Ditch and John Long Ditch or any one ditch will be allowed to transport stock water down the Hillis and John Long Ditches when freezing conditions require this amount of water to convey it to the livestock. A seasonal ditch blockage shall be installed outside the irrigation season within the NWSW of Section 28, T. 13S R.33E W.M. further described as approximately 44 Deg 24' 23.28" N by 118 Deg 45' 11.63" W to prevent stock water from being delivered to lands without a stock water right outside the irrigation season. The timing, location, and type and plans for seasonal ditch blockage shall be approved by the Watermaster prior to installation.

Water use measurement condition:

- 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 the new point of diversion.
- 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 the private structure, the Watermaster shall request access upon reasonable notice.

The water user shall maintain the headgate to control and regulate the quantity of water diverted, as required by the Department.

The water user shall not construct, operate or maintain any dam or artificial obstruction to fish passage without obtaining approval from Oregon Department of Fish and Wildlife (ODFW). The water user is hereby directed to contact an ODFW Fish Passage Coordinator prior to construction of any in-channel obstruction or prior to diversion of water that may create an artificial obstruction due to low flow.

The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the points of diversion consistent with Oregon Department of Fish and Wildlife's (ODFW's) operational and maintenance standards. Fish screening is to prevent fish from entering the diversion. 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.

The water user shall contact ODFW if any issues arise regarding the proper function of the fish screen in John Long Ditch and/or the fish passage structure in Indian Creek at John Long Ditch during October-May.

There is currently an ODFW-approved and maintained rotary drum screen in the John Long Ditch and a lay-flat stanchion fish passage structure in Indian Creek. Contacting ODFW during October-May, if issues arise at these structures, is being recommended due to the uncertain nature of maintaining these structures during freezing temperatures in the winter months. Failure of the fish screen and/or passage structure would diminish the benefits derived from this water right.

Water shall be acquired from the same source as the original points of diversion.

And said right shall be subject to all other conditions and limitations in said decree. The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.



This certificate is issued to confirm a change in POINT OF DIVERSION and PLACE OF USE approved by an order of the Water Resources Director entered September 2, 2020, at Special Order Volume 117, Page 468, approving Transfer Application T-10898, and together with Certificate 95262, supercedes Certificate 25844, State record of Water Right Certificates.

Issued **DEC 13 2024**.



Dwight French  
Water Right Services Division Administrator, for  
Ivan Gall, Director  
Oregon Water Resources Department

