

STATE OF OREGON

COUNTY OF MALHEUR

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DANIEL HUTCHISON
PO BOX 222
AROCK OR 97902

confirms the right to the use of water perfected under the terms of Permit S-54866. 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. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-87504

SOURCE OF WATER: BLACK BULL SPRING AND DUCK POND RESERVOIR, CONSTRUCTED UNDER PERMIT R-14911,
TRIBUTARY TO BARREN VALLEY

MAXIMUM RATE: 0.01 CUBIC FOOT PER SECOND FROM BLACK BULL SPRING AND 1.0 ACRE-FOOT FROM DUCK POND
RESERVOIR

<u>SOURCE</u>	<u>PURPOSE OR USE</u>	<u>PERIOD OF USE</u>
BLACK BULL SPRING	IRRIGATION OF 2.0 ACRES	4/1 – 10/15
BLACK BULL SPRING	POND MAINTENANCE	YEAR-ROUND
DUCK POND RESERVOIR	IRRIGATION OF 2.0 ACRES	4/1 – 10/15

DATE OF PRIORITY: AUGUST 3, 2009

POINTS OF DIVERSION LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
28 S	37 E	WM	34	NE NE	BLACK BULL SPRING - 1181 FEET SOUTH AND 33 FEET WEST FROM NE CORNER, SECTION 34
28 S	37 E	WM	34	SE NE	DUCK POND RESERVOIR - 1469 FEET SOUTH AND 89 FEET WEST FROM NE CORNER, SECTION 34

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 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

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 2.0 acre-feet for each acre irrigated prior to June 1 and to 0.5 acre-foot for each acre irrigated after June 1.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	37 E	WM	34	SE NE	2.0

Measurement, recording and reporting conditions:

- A. The Director may require the water user to install a totalizing flow meter or other suitable measuring device as approved by the Director. If the Director notifies the water user to install a totalizing flow meter or other measuring device, the water user shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the water user shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the water user to submit alternative measuring procedures for review and approval.
- B. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

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.

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 filed by such water users with the 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 use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices 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 plan.

The use of 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 place of use described.

Issued APR 01 2025



Katherine Ratcliffe

Water Right Services Division Administrator, for

Ivan Gall, Director

Oregon Water Resources Department

