

STATE OF OREGON  
COUNTY OF DESCHUTES  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BROOKS RESOURCES CORP.  
296 SW COLUMBIA ST SUITE A  
BEND OR 97702

confirms the right to use the waters of two wells in the DESCHUTES RIVER BASIN for IRRIGATION of 114.5 ACRES and RECREATION (AESTHETICS and GOLF HAZARDS).

This right was perfected under Permit G-11106. The date of priority is JUNE 28, 1990. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.58 CUBIC FEET PER SECOND, being 1.43 for IRRIGATION, and 0.15 CFS for RECREATION, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
17 S	11 E	WM	24	SW SE	1280 FEET NORTH AND 799 FEET EAST FROM THE SOUTH 1/4 CORNER, SECTION 24
17 S	11 E	WM	25	NE NW	875 FEET SOUTH AND 732 FEET WEST FROM THE NORTH 1/4 CORNER, SECTION 25

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 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. The right to the use of the water for the above purpose is restricted to beneficial use without waste on the lands or place of use described. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
17 S	11 E	WM	24	NE NE	0.08
17 S	11 E	WM	24	NW NE	8.04
17 S	11 E	WM	24	SW NE	11.08
17 S	11 E	WM	24	SE NE	2.92
17 S	11 E	WM	24	NE NW	6.03
17 S	11 E	WM	24	SE NW	16.96
17 S	11 E	WM	24	NE SW	7.36
17 S	11 E	WM	24	SE SW	7.08
17 S	11 E	WM	24	NE SE	0.27
17 S	11 E	WM	24	NW SE	8.71
17 S	11 E	WM	24	SW SE	25.33
17 S	11 E	WM	24	SE SE	1.56
17 S	11 E	WM	25	NE NE	0.37
17 S	11 E	WM	25	NW NE	14.12
17 S	11 E	WM	25	NE NW	4.59

RECREATION				
Twp	Rng	Mer	Sec	Q-Q
17 S	11 E	WM	24	SW NE
17 S	11 E	WM	24	SE NE
17 S	11 E	WM	24	SE SW
17 S	11 E	WM	24	NW SE
17 S	11 E	WM	24	SW SE
17 S	11 E	WM	25	NE NW

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 well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. When required by the Department, the water user shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of groundwater withdrawn. The Department may require water level or pump test results every ten years.

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

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 certificate describes that portion of the water right confirmed by Certificate 80653, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JAN 19 2005, approving Transfer Application 7794.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

WITNESS the signature of the Water Resources Director, affixed JANUARY 19, 2005.

  
 Phillip C. Ward, Director