

STATE OF OREGON

COUNTY OF CROOK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HIGH DESERT ESTATES HOMEOWNERS ASSOCIATION INC.
 4488 SE JERRY DR
 PRINEVILLE OR 97754

confirms the right to use the waters of FOUR WELLS for GROUP DOMESTIC USE EXPANDED for 111 HOUSEHOLDS.

This right was perfected under Permit G-16890. The date of priority is APRIL 17, 1995. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.30 CUBIC FOOT PER SECOND (cfs), in any combination, being up to 0.032 cfs from WELL 163, up to 0.134 cfs from WELL 139W, up to 0.134 cfs from WELL 139E, and up to 0.30 cfs from WELL 135, or its equivalent in case of rotation, measured at the wells.

The period of use is year round.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	16 E	WM	21	SW SW	WELL LOT 163 – 430 FEET NORTH AND 1520 FEET WEST FROM SOUTH 1/4 CORNER, SECTION 21
15 S	16 E	WM	21	SW SE	WELL LOT 139W – 100 FEET NORTH AND 820 FEET EAST FROM S 1/4 CORNER, SECTION 21
15 S	16 E	WM	21	SW SE	WELL LOT 139E – 60 FEET NORTH AND 950 FEET EAST FROM SOUTH 1/4 CORNER, SECTION 21
15 S	16 E	WM	21	SW SE	WELL LOT 135 – 1030 FEET NORTH AND 550 FEET EAST FROM THE SOUTH 1/4 CORNER, SECTION 21

A description of the place of use is as follows:

DOMESTIC USE EXPANDED				
Twp	Rng	Mer	Sec	Q-Q
15 S	16 E	WM	21	NW NE
15 S	16 E	WM	21	SW NE
15 S	16 E	WM	21	NE NW
15 S	16 E	WM	21	NW NW
15 S	16 E	WM	21	SW NW
15 S	16 E	WM	21	SE NW
15 S	16 E	WM	21	NE SW
15 S	16 E	WM	21	NW SW
15 S	16 E	WM	21	SW SW

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.

DOMESTIC USE EXPANDED				
Twp	Rng	Mer	Sec	Q-Q
15 S	16 E	WM	21	SE SW
15 S	16 E	WM	21	NW SE
15 S	16 E	WM	21	SW SE

The combined quantity of water diverted at the additional point of appropriation (Well Lot 135), together with that diverted at the relocated points of appropriation (Well Lot 163, Well Lot 139W and Well Lot 139E), shall not exceed the quantity of water lawfully available at the original points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Rate (cfs)
15 S	16 E	WM	21	NE SW	WELL 1 – 290 FEET NORTH AND 1123 FEET EAST FROM SW CORNER, SECTION 21	0.032
15 S	16 E	WM	21	SW SW	WELL 2 – 190 FEET NORTH AND 2759 FEET EAST FROM SW CORNER, SECTION 21	0.134
15 S	16 E	WM	21	SW SE	WELL 3 – 1936 FEET NORTH AND 2520 FEET EAST FROM SW CORNER, SECTION 21	0.134

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device in good working order.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. 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.

Water shall be acquired from the same aquifer as the original points of appropriation.

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.

Use of water under authority of this right may be regulated if analysis of data available after the right is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

Ground water for use under this permit shall be produced from a depth greater than 150 to 200 feet below ground surface.

The works shall be equipped with a usable access port, and may also include an air line and pressure gauge to determine the water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

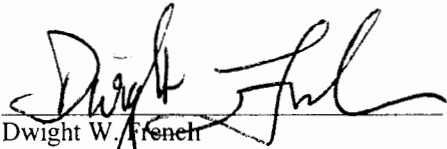
Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

This right is for 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 shall be limited when it interferes with any prior surface or ground water rights.

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Dwight W. French
Administrator, Water Right Services, for
Phillip C. Ward, Director
Oregon Water Resources Department