

STATE OF OREGON

COUNTY OF CROOK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

G I RANCH CORP.; WILLIAM SMITH
 15 SW COLORADO AVE SUITE A
 BEND OR 97702

confirms the right to use the waters of TWO WELLS in SOUTH FORK CROOKED RIVER BASIN for IRRIGATION of 283.3 ACRES, being 121.1 ACRES from Well F-6 and 162.2 ACRES from Well F-4 (new).

This right was perfected under Permit G-17178. The date of priority is NOVEMBER 19, 2001. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 3.54 CUBIC FEET PER SECOND (CFS), being 1.51 CFS from Well F-6 and 2.03 CFS from Well F-4, or its equivalent in case of rotation, measured at the wells.

The period of use is March 1 through October 31.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
20 S	22 E	WM	27	NE SE	WELL F-6 (NEW) - 1760 FEET NORTH AND 1190 FEET WEST FROM SE CORNER, SECTION 27
20 S	22 E	WM	26	NW SW	WELL F-4 (NEW) - 1710 FEET NORTH AND 690 FEET EAST FROM SW CORNER, SECTION 26

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) and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

A description of the place of use is as follows:

WELL F-6					
Twp	Rng	Mer	Sec	Q-Q	Acres
20 S	22 E	WM	26	NE NW	2.3
20 S	22 E	WM	26	NW NW	23.7
20 S	22 E	WM	26	SW NW	25.5
20 S	22 E	WM	26	SE NW	11.0
20 S	22 E	WM	27	NE NE	14.3
20 S	22 E	WM	27	SE NE	35.5
20 S	22 E	WM	27	NE SE	8.8
TOTAL					121.1

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.

WELL F-4					
Twp	Rng	Mer	Sec	Q-Q	Acres
20 S	22 E	WM	26	SW SW	16.6
20 S	22 E	WM	27	NE SE	5.7
20 S	22 E	WM	27	NW SE	0.4
20 S	22 E	WM	27	SW SE	20.8
20 S	22 E	WM	27	SE SE	40.0
20 S	22 E	WM	34	NE NE	39.8
20 S	22 E	WM	34	NW NE	19.4
20 S	22 E	WM	34	SE NE	1.3
20 S	22 E	WM	35	NW NW	18.2
TOTAL					162.2

Measurement, recording and reporting conditions:

- A. The water user shall maintain the totalizing flow meters or other suitable measuring devices as approved by the Director at each point of appropriation in good working order, 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 totalizing flow meters or other suitable measuring devices; provided however, where the totalizing flow meters or other suitable measuring devices is located within a private structure, the watermaster shall request access upon reasonable notice.

The quantity of water diverted at the new points of appropriation shall not exceed the quantity of water lawfully available at the original point of appropriation as described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
20 S	22 E	WM	27	NE SE	WELL F-4 (ORIGINAL) - 1650 FEET NORTH AND 740 FEET WEST FROM SE CORNER, SECTION 27

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

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.

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 wells 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 useable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the wells 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.

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

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Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department