

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DAN E. BUNN
P.O. BOX 1084
MEDFORD, OREGON 97501

confirms the right to use the waters of COAL MINE CREEK AND NELSON RESERVOIR NO. 1 CONSTRUCTED UNDER APPL. NO. R-29362, PERMIT NO. R-1683, a tributary of AGATE SLOUGH (ROGUE RIVER), for IRRIGATION OF 4.0 ACRES.

This right was perfected under Permit 23238. The date of priority is JULY 28, 1954. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.05 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NW¼ NE¼, SECTION 10, T 37 S, R 1 W, W.M.; 350 FEET NORTH AND 1690 FEET WEST FROM THE SE CORNER OF NE¼ NE¼, SECTION 10.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 4½ acre-feet for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit No. R-1683.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

NW¼ NE¼ 4.0 ACRES
SECTION 10
TOWNSHIP 37 SOUTH, RANGE 1 WEST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 36285, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUN 24 1998, approving Transfer Application 7091.

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.

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

WITNESS the signature of the Water Resources
Director, affixed JUN 24 1998.

/s/ Tom Paul for
Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 75725.

T-7091.PKS