

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BGE PROPERTIES LLC
1 WEST MAIN ST SUITE 401
MEDFORD OR 97504

confirms the right to the use of water perfected under the terms of Permit S-15772. 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.

SOURCE OF WATER: A MINING TUNNEL (IN GRIFFIN CREEK WATERSHED), A TRIBUTARY OF BEAR CREEK

PURPOSE OR USE: IRRIGATION AND AGRICULTURE, INCLUDING BUT NOT LIMITED TO IRRIGATION AND AGRICULTURE, DUST AND FROST CONTROL AND FIRE SUPPRESSION

MAXIMUM RATE: 0.1 CUBIC FOOT PER SECOND

PERIOD OF USE: APRIL 2 TO OCTOBER 31

DATE OF PRIORITY: MAY 11, 1944

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
37 S	2 W	WM	33	SW SW	95	POD T1 - 1325 FEET NORTH FROM SW CORNER, SECTION 33

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season from April 2 to October 31, of each year, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
37 S	2 W	WM	33	NE SW	95	0.91
37 S	2 W	WM	33	NW SW	95	3.32
37 S	2 W	WM	33	NW SW	91	1.33
37 S	2 W	WM	33	SW SW	95	2.01

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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, 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.

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
37 S	2 W	WM	33	SE SW	95	0.43

Measurement, recording and reporting conditions:

- A. The water user shall maintain the totalizing flow meter or other suitable measuring device as approved by the Director in good working order at each point of diversion.
- 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.

The Oregon Department of Fish and Wildlife (ODFW) may require the water user to install an approved fish screen at the new point of diversion (as required in Special Order Volume 95, Page 917, approving previously approved Transfer Application T-11881) within one year after receiving written notification that a fish screen is required. Once installed the water user shall maintain and operate the fish screen at the new point of diversion according to ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

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

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered January 13, 2020, at Special Order Volume 114, Page 834, approving Transfer Application T-12959, supercedes Certificate 93676, State record of Water Right Certificates.

Issued APR 01 2025.

Katherine Ratcliffe
 Water Right Services Division Administrator, for
 Ivan Gall, Director
 Oregon Water Resources Department