

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or 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 at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

STATE OF OREGON  
COUNTY OF GRANT  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

IMMANUEL MINING  
HCR 56 BOX 330  
JOHN DAY, OREGON 97845

confirms the right to use the waters of LITTLE PINE CREEK AND DOG CREEK, tributaries of JOHN DAY RIVER, for MINING.

This right was perfected under Permit 45910. The date of priority is MARCH 16, 1981. This right is limited to 2.0 CUBIC FEET PER SECOND (CFS), BEING 1.0 CFS FROM LITTLE PINE CREEK AND 1.0 CFS FROM DOG CREEK, or its equivalent in case of rotation, measured at the points of diversion from the source.

The points of diversion are located as follows:

LITTLE PINE CREEK: NE 1/4 NE 1/4, SECTION 7, T 14 S, R 32 E, W.M., 330 FEET SOUTH AND 100 FEET WEST FROM THE NE CORNER, SECTION 7.

DOG CREEK: NW 1/4 SW 1/4, SECTION 9, T 14 S, R 32 E, W.M., 650 FEET SOUTH AND 300 FEET EAST FROM THE W 1/4 CORNER, SECTION 9.

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

SE 1/4 NW 1/4  
NE 1/4 SW 1/4  
NW 1/4 SW 1/4  
SW 1/4 SW 1/4  
SE 1/4 SW 1/4  
NW 1/4 SE 1/4  
SW 1/4 SE 1/4  
SE 1/4 SE 1/4  
SECTION 6

S-61359.JWG

Certificate Number 81994

NW 1/4 NE 1/4  
NE 1/4 NW 1/4  
NW 1/4 NW 1/4  
SECTION 7

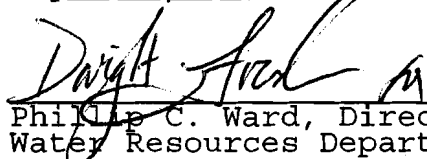
TOWNSHIP 14 SOUTH, RANGE 32 EAST, W.M.

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.

The water user shall maintain and use adequate treatment facilities to remove sediments before returning water to the stream.

WITNESS the signature of the Water Resources Director, affixed

May 19, 2006.

  
Philip C. Ward, Director  
Water Resources Department

Recorded in State Record of Water Right Certificates Number 81994.

S-61359.JWG