

STATE OF OREGON
 COUNTY OF DOUGLAS
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

NICKEL MOUNTAIN LLC
 3000 STEWART PARKWAY STE 204
 ROSEBURG OR 97470

confirms the right to use the waters of RAIL GULCH, tributary to COW CREEK for RIDDLE SMELTER FOR GENERAL INDUSTRIAL USE.

This right was perfected under Permit S-21988. The date of priority is APRIL 30, 1952. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.10 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The points of diversion (POD) are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
30 S	6 W	WM	16	SW SW	POD 2 - 90 FEET NORTH AND 1060 FEET EAST FROM SW CORNER, SECTION 16
30 S	6 W	WM	17	SW SE	POD 1 - 520 FEET NORTH AND 1220 FEET EAST FROM S1/4 CORNER, SECTION 17
30 S	6 W	WM	21	NW NW	POD 3 - 850 FEET SOUTH AND 880 FEET EAST FROM NW CORNER, SECTION 21

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 is as follows:

Twp	Rng	Mer	Sec	Q-Q
30 S	6 W	WM	16	NE SW
30 S	6 W	WM	16	NW SW
30 S	6 W	WM	16	SW SW
30 S	6 W	WM	16	SE SW
30 S	6 W	WM	17	NE SE
30 S	6 W	WM	17	NW SE
30 S	6 W	WM	17	SW SE
30 S	6 W	WM	17	SE SE
30 S	6 W	WM	21	NW NW

The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available from the original points of diversion.

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.

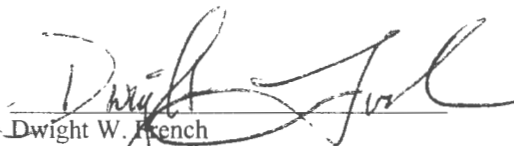
When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

The water user shall maintain a fish screen or fish by-pass device, as appropriate, at the new point of diversion consistent with Oregon Department of Fish and Wildlife's operational and maintenance standards.

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.

This certificate is issued to confirm an ADDITIONAL POINTS OF DIVERSION and a change in PLACE OF USE AND CHARACTER OF USE approved by an order of the Water Resources Director entered APRIL 13, 2007, at Special Order Volume 71, Page 528, approving Transfer Application 9286, supersedes Certificate 48232, State record of Water Right Certificates.

Issued FEB 28 2014.


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