

STATE OF OREGON
COUNTIES OF HARNEY AND MALHEUR
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

EP MINERALS LLC
9785 GATEWAY DR SUITE 100
RENO NV 89521

confirms the right to use the waters of TWO WELLS within the COTTONWOOD CREEK BASIN for INDUSTRIAL USES (TRUCK SHOP AND MINE VEHICLE REPAIR, SANITARY FACILITIES INCLUDING SHOWERS, SUPPRESSION OF FUGITIVE DUST, WASHING OF MINE VEHICLES AND SPRINKLING ROADS).

This right was perfected under Permit G-10456. The date of priority is OCTOBER 8, 1984. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 100 GALLONS PER MINUTE, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
19 S	36 E	WM	36	SE SW	WELL 2 (NEW) - 402 FEET NORTH AND 1508 FEET EAST FROM SW CORNER, SECTION 36
20 S	36 E	WM	3	SE SE	WELL 1 (ORIGINAL) - 270 FEET NORTH AND 125 FEET WEST FROM SE CORNER, SECTION 3

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q
19 S	36 E	WM	34	NE NW
19 S	36 E	WM	34	NW NW
19 S	36 E	WM	34	SE NW
19 S	36 E	WM	34	NE SW
19 S	36 E	WM	34	SE SW
19 S	36 E	WM	36	NE NE
19 S	36 E	WM	36	NW NE
19 S	36 E	WM	36	SW NE
19 S	36 E	WM	36	NE SW
19 S	36 E	WM	36	SE SW
19 S	37 E	WM	30	NE NW
19 S	37 E	WM	30	SE NW
19 S	37 E	WM	30	NE SW
19 S	37 E	WM	30	NW SW
19 S	37 E	WM	30	SW SW
19 S	37 E	WM	31	NW NW

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
20 S	36 E	WM	1	NE NW
20 S	36 E	WM	1	NW NW
20 S	36 E	WM	1	SW NW
20 S	36 E	WM	2	SW SW
20 S	36 E	WM	2	SE SW
20 S	36 E	WM	2	NE SE
20 S	36 E	WM	2	SW SE
20 S	36 E	WM	2	SE SE
20 S	36 E	WM	3	NW NE
20 S	36 E	WM	3	SW NE
20 S	36 E	WM	3	NE NW
20 S	36 E	WM	3	NE SE
20 S	36 E	WM	3	SE SE
20 S	36 E	WM	11	SW NE
20 S	36 E	WM	11	NE NW
20 S	36 E	WM	11	NW NW
20 S	36 E	WM	11	SE NW
20 S	36 E	WM	11	NE SE
20 S	36 E	WM	11	NW SE
20 S	36 E	WM	11	SE SE
20 S	36 E	WM	13	NW NW
20 S	36 E	WM	13	SW NW
20 S	36 E	WM	13	NW SW
20 S	36 E	WM	13	SW SW
20 S	36 E	WM	14	NE NE
20 S	36 E	WM	24	NW NW
20 S	36 E	WM	24	SW NW
20 S	36 E	WM	24	SE NW
20 S	36 E	WM	24	NE SW
20 S	36 E	WM	24	SW SE
20 S	36 E	WM	25	NW NE
20 S	36 E	WM	25	SW NE
20 S	36 E	WM	25	NE NW
20 S	36 E	WM	25	SE NW
20 S	36 E	WM	25	NE SW
20 S	36 E	WM	25	NW SE
20 S	36 E	WM	25	SW SE
20 S	36 E	WM	36	NE NE
20 S	36 E	WM	36	NW NE
20 S	37 E	WM	31	SW NW
20 S	37 E	WM	31	NW SW
20 S	37 E	WM	31	SW SW
20 S	37 E	WM	31	SE SW
21 S	37 E	WM	6	NW NE
21 S	37 E	WM	6	SW NE
21 S	37 E	WM	6	NW SE
21 S	37 E	WM	6	SW SE
21 S	37 E	WM	6	SE SE

The quantity of water diverted at the new point of appropriation (well), together with that diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available from the original point of appropriation.

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

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

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 usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well(s) at all times.

The water user shall maintain a weir, meter or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

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 POINT OF APPROPRIATION approved by an order of the Water Resources Director entered MAY 11, 1998, at Special Order Volume 52, Page 485, approving Transfer Application 7849, modifies the right perfected under Permit G-10456.

Issued AUG 01 2014



Dwight French
Water Right Services Division Administrator, for
Director
Oregon Water Resources Department

