

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TRIPLE C REDI-MIX CO.  
CASS R. VANDERWIELE  
19876 HWY 86  
BAKER CITY OR 97814

confirms the right to the use of water perfected under the terms of Permit G-13611. 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.

APPLICATION FILE NUMBER: G-14794

SOURCE OF WATER: A WELL AND SUMP IN THE POWDER RIVER BASIN

PURPOSE or USE: MINING OPERATIONS AND COMMERCIAL USE

MAXIMUM RATE: 1.45 CUBIC FEET PER SECOND (CFS), BEING 0.15 CFS FROM THE WELL AND 1.3 CFS FROM THE SUMP

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: JUNE 26, 1998

The well and sump are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	40 E	WM	10	NE NW	WELL - 1190 FEET SOUTH AND 1070 FEET WEST FROM N1/4 CORNER, SECTION 10
9 S	40 E	WM	10	SE NW	SUMP - 1650 FEET SOUTH AND 830 FEET WEST FROM N1/4 CORNER, SECTION 10

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q
9 S	40 E	WM	10	NE NW
9 S	40 E	WM	10	SE 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 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, 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. 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 within three months after issuance of the certificate.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device approved by the Director in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.
- 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.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interference.

The water user shall maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning water to the stream.

This right does not allow for the use of water for heap leach mining.

The well(s) 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 the water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

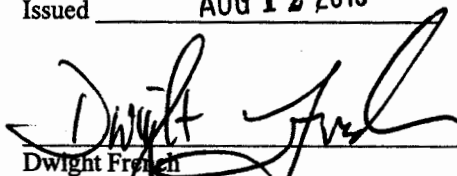
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

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

Issued           AUG 12 2016          



Dwight French  
Water Right Services Division Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department