

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ANN ELLIS JONES
SUZAN ELLIS JONES
KEITH L JONES
KERRY A JONES
24121 CLARKS CREEK RD
BRIDGEPORT OR 97819

ART LACEY
3167 GOODRICH RD
CAMBRIDGE ID 83610

WESTERN MINE DEVELOPMENT, LLC
PO BOX 428
LONG CREEK OR 97856

ROBERT HEARST
8516 NE BOTHELL WAY
BOTHELL WA 98011

THREE VALLEYS RANCH, LLC
5365 BREWSTER RD
OAKLAND TOWNSHIP MI 48306

BUREAU OF LAND MANAGEMENT
VALE DISTRICT
100 OREGON ST
VALE OR 97978

confirms the right to the use of water perfected under the terms of Permit S-46733. 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: S-61214

SOURCE OF WATER: CLARKS CREEK, A TRIBUTARY OF BURNT RIVER

PURPOSE or USE: MINING

MAXIMUM RATE: 3.0 CUBIC FEET PER SECOND (CFS); FURTHER LIMITED TO 1.48 CFS FROM POD 1, 1.4 CFS FROM POD 2, 0.87 CFS FROM POD 3, 0.38 CFS FROM POD 4, AND 2.54 CFS FROM POD 5

DATE OF PRIORITY: FEBRUARY 3, 1981

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Placer Claim	Measured Distances
12 S	41 E	WM	26	SE SW		46	POD 1 – 730 FEET NORTH AND 1780 FEET EAST FROM SW CORNER, SECTION 26
12 S	41 E	WM	27	SW SW			POD 2 - 790 FEET NORTH AND 1090 FEET EAST FROM SW CORNER, SECTION 27

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.

Twp	Rng	Mer	Sec	Q-Q	GLot	Placer Claim	Measured Distances
12 S	41 E	WM	27	SW SE			POD 3 – 980 FEET NORTH AND 1690 FEET WEST FROM SE CORNER, SECTION 27
12 S	41 E	WM	28	NW SW	12		POD 5 – 2250 FEET NORTH AND 4220 FEET WEST FROM SE CORNER, SECTION 28
12 S	41 E	WM	35	NE NW		46	POD 4 – 970 FEET SOUTH AND 1950 FEET EAST FROM NW CORNER, SECTION 35

A description of the place of use by point of diversion is as follows:

POD 1						
Twp	Rng	Mer	Sec	Q-Q	GLot	Placer Claim
12 S	41 E	WM	26	SE SW	14	
12 S	41 E	WM	26	SE SW		46

POD 2						
Twp	Rng	Mer	Sec	Q-Q	GLot	Placer Claim
12 S	41 E	WM	27	SW SW		45
12 S	41 E	WM	27	SW SW	18	
12 S	41 E	WM	27	SE SW	19	
12 S	41 E	WM	27	SE SW		45
12 S	41 E	WM	27	SW SE		
12 S	41 E	WM	27	SE SE		
12 S	41 E	WM	34	NW NE		
12 S	41 E	WM	34	NE NW		

POD 3					
Twp	Rng	Mer	Sec	Q-Q	GLot
12 S	41 E	WM	27	SE SW	
12 S	41 E	WM	27	SW SE	
12 S	41 E	WM	27	SW SE	20
12 S	41 E	WM	27	SE SE	
12 S	41 E	WM	34	NW NE	

POD 4					
Twp	Rng	Mer	Sec	Q-Q	Placer Claim
12 S	41 E	WM	26	SE SW	46

POD 5					
Twp	Rng	Mer	Sec	Q-Q	GLot
12 S	41 E	WM	28	NE SW	11
12 S	41 E	WM	28	NW SW	12
12 S	41 E	WM	28	SW SW	

This right is subject to existing rights including the appropriate minimum flow policies established by the Water Policy Review Board.

This right is issued subject to the maintenance and use of adequate treatment facilities to remove the sediment before returning the water to the stream.

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

JUL 07 2017

Issued _____.

A handwritten signature in black ink, appearing to read "Dwight French", is written over a horizontal line.

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