

STATE OF OREGON

COUNTY OF CLACKAMAS

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CADMAN MATERIALS, INC.
C/O NOEL BARNETT
8705 NE 117TH AVE
VANCOUVER, WA 98662

This superseding permit is issued to describe an amendment for a change in point of appropriation proposed under Permit Amendment Application T-12887 and approved by Special Order Vol. 112, Page 845, entered April 1, 2019, and to describe an extension of time for complete application of water approved December 11, 2015, and an assignment approved March 27, 2018. This permit supersedes Permit G-15000.

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-15176

SOURCE OF WATER: A WELL IN MOLALLA RIVER BASIN

PURPOSE OR USE: MINING

RATE OF USE: 11.14 CUBIC FEET PER SECOND

PERIOD OF ALLOWED USE: YEAR ROUND

DATE OF PRIORITY: JUNE 30, 2000

WELL LOCATION:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	1 E	WM	8	NE NW	50	OPEN PIT WELL 1 - 895 FEET SOUTH AND 1655 FEET EAST FROM THE NW CORNER OF SECTION 8

THE PLACE OF USE IS LOCATED AS FOLLOWS:

MINING					
Twp	Rng	Mer	Sec	Q-Q	DLC
4 S	1 E	WM	8	NW NE	50
4 S	1 E	WM	8	SW NE	50
4 S	1 E	WM	8	NE NW	50
4 S	1 E	WM	8	NW NW	50
4 S	1 E	WM	8	SW NW	50

MINING					
Twp	Rng	Mer	Sec	Q-Q	DLC
4 S	1 E	WM	8	SE NW	50

Permit Amendment T-12887 Conditions:

The quantity of water diverted at the new point of appropriation (Open Pit Well 1), shall not exceed the quantity of water lawfully available at the original point of appropriation (Open Pit Well 2) located:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
4 S	1 E	WM	8	SW NE	50	OPEN PIT WELL 2 – SOUTH 64 DEGREES 41 MINUTES 40 SECONDS EAST 3241.7 FEET FROM THE NW CORNER OF SECTION 8

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

Extension of Time Conditions:

Checkpoint Condition

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2019 and 2024.**

- (a) At each checkpoint, the permit holder shall submit and the Department shall review evidence of the permit holder's diligence towards completion of the project and compliance with terms and conditions of the permit and extension. If, after this review, the Department determines the permit holder has not been diligent in developing and perfecting the water use permit, or complied with all terms and conditions, the Department shall modify or further condition the permit or extension to ensure future compliance, or begin cancellation proceedings on the undeveloped portion of the permit pursuant to ORS 537.260 or 537.410, or require submission of a final proof survey pursuant to ORS 537.250;
- (b) The Department shall provide notice of receipt of progress reports in its weekly notice and shall allow a 30 day comment period for each report. The Department shall provide notice of its determination to anyone who submitted comments.

Original Permit Conditions:

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device 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 permittee to report general water-use information, including the place and nature of use of water under the permit.

- B. The permittee shall allow the watermaster access to the device; provided however, where any device is located within a private structure, the watermaster shall request access upon reasonable notice.

The use of water is for the non-consumptive use of groundwater in a closed loop system. Pumping and use of groundwater shall occur so as to prevent off-site groundwater and surface water effects.

This permit does not allow for water to be used for heap leach mining operations.

The water user shall install and maintain adequate treatment facilities meeting current Oregon Department Environmental Quality requirements to remove sediment before returning the water.

STANDARD CONDITIONS

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 any well listed on this permit, 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 interferences.

The wells shall be constructed 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 at all times.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

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

This permit 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.

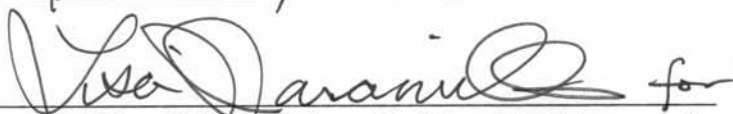
The use of water shall be limited when it interferes with any prior surface or ground water rights.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

The original permit was issued January 9, 2002. Complete application of the water to the use was to have been made by October 1, 2006. By Extension of Time Final Order dated December 11, 2015, the deadline for complete application of water to use was extended to October 1, 2025.

Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued April 1, 2019.



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