

STATE OF OREGON

COUNTY OF MALHEUR

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

CALICO RESOURCES USA CORP.  
665 ANDERSON STREET  
WINNEMUCCA, NV 89445

**This superseding permit is issued to describe an amendment for additional points of appropriation, a change in point of appropriation, and a change in place of use proposed under Permit Amendment Application T-13157 and approved by Special Order Vol. 114, Page 133, entered October 16, 2019, and to describe an extension of time for complete application of water approved December 26, 2012, and an assignment approved March 7, 2013. This permit supersedes Permit G-10994.**

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

APPLICATION FILE NUMBER: G-11847

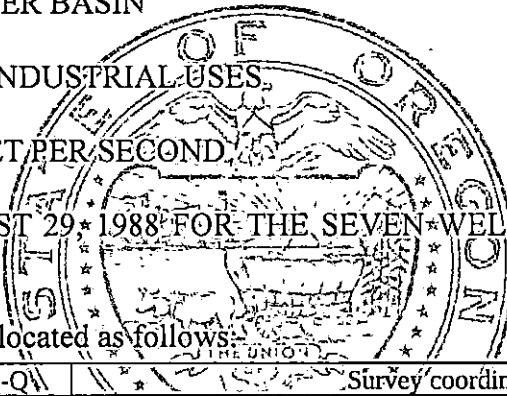
SOURCE OF WATER: SEVEN WELLS, SUPPLEMENTED BY WATERS FROM AN OPEN PIT MINE IN THE MALHEUR RIVER BASIN

PURPOSE OR USE: MINING/INDUSTRIAL USES

RATE OF USE: 2.0 CUBIC FEET PER SECOND

DATE OF PRIORITY: AUGUST 29, 1988 FOR THE SEVEN WELLS AND NOVEMBER 15, 1988 FOR THE OPEN PIT MINE

The wells and open pit mine are located as follows:



Twp	Rng	Mer	Sec	Q-Q	Survey coordinates
21 S	44 E	WM	32	NE NW	WELL 5 - 43 DEGREES 42 MINUTES 19.02 SECONDS NORTH AND 117 DEGREES 21 MINUTES 57.62 SECONDS WEST
21 S	44 E	WM	32	SE NW	WELL 3 - 43 DEGREES 42 MINUTES 5.28 SECONDS NORTH AND 117 DEGREES 21 MINUTES 56.54 SECONDS WEST
21 S	44 E	WM	32	SE NW	WELL 4 - 43 DEGREES 42 MINUTES 11.99 SECONDS NORTH AND 117 DEGREES 21 MINUTES 57.01 SECONDS WEST
21 S	44 E	WM	32	NE SW	WELL 7 - 43 DEGREES 41 MINUTES 55.59 SECONDS NORTH AND 117 DEGREES 21 MINUTES 56.85 SECONDS WEST
22 S	44 E	WM	5	NE NW	691 FEET SOUTH AND 994 FEET EAST FROM THE S1/4 CORNER OF SECTION 32

Twp	Rng	Mer	Sec	Q-Q	Survey coordinates
22 S	44 E	WM	5	SW SW	WELL 6 - 43 DEGREES 40 MINUTES 51.62 SECONDS NORTH AND 117 DEGREES 22 MINUTES 7.26 SECONDS WEST
22 S	44 E	WM	8	SW NE	WELL 2 - 43 DEGREES 40 MINUTES 23.24 SECONDS NORTH AND 117 DEGREES 21 MINUTES 15.73 SECONDS WEST
22 S	44 E	WM	8	SW NE	ENTIRE UNDERGROUND AREA
22 S	44 E	WM	8	NE SW	ENTIRE UNDERGROUND AREA
22 S	44 E	WM	8	NW SE	ENTIRE UNDERGROUND AREA

Although declared herein to be a supplemental supply from the open pit mine, in the interest of prudent use of waters, use from the open pit mine may be exercised at times when water is available at the three original points of appropriation, provided the total quantity diverted from all sources does not exceed the limitation allowed herein.

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

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

A description of the proposed place of use under the permit is as follows:

MINING/INDUSTRIAL USES					
Twp	Rng	Mer	Sec	Q-Q	GLot
19 S	44 E	WM	22	NE NE	
19 S	44 E	WM	22	SE NE	
19 S	44 E	WM	22	NE SE	
19 S	44 E	WM	23	NW NW	
19 S	44 E	WM	23	SW NW	
19 S	44 E	WM	23	NW SW	
19 S	44 E	WM	23	SW SW	
19 S	44 E	WM	26	NW NE	
19 S	44 E	WM	26	SW NE	
19 S	44 E	WM	26	SE NE	
19 S	44 E	WM	26	NE NW	
19 S	44 E	WM	26	NW NW	
19 S	44 E	WM	26	NE SE	
19 S	44 E	WM	26	SE SE	
19 S	44 E	WM	35	NE NE	
19 S	44 E	WM	36	NW NW	
19 S	44 E	WM	36	SW NW	
19 S	44 E	WM	36	NE SW	
19 S	44 E	WM	36	NW SW	
19 S	44 E	WM	36	SE SW	
20 S	44 E	WM	1	NE NE	1
20 S	44 E	WM	1	SE NE	
20 S	44 E	WM	1	NE SE	
20 S	44 E	WM	1	SE SE	
20 S	44 E	WM	12	NE NE	
20 S	44 E	WM	12	SW NE	
20 S	44 E	WM	12	SE NE	
20 S	44 E	WM	12	NE SW	

MINING/INDUSTRIAL USES					
Twp	Rng	Mer	Sec	Q-Q	GLot
20 S	44 E	WM	12	SE SW	
20 S	44 E	WM	12	NW SE	
20 S	44 E	WM	12	SW SE	
20 S	44 E	WM	13	NW 1/4	
20 S	44 E	WM	13	NW SW	
20 S	44 E	WM	13	SW SW	
20 S	44 E	WM	14	NE SE	
20 S	44 E	WM	14	SE SE	
20 S	44 E	WM	23	NE NE	
20 S	44 E	WM	23	SE NE	
20 S	44 E	WM	23	SE SW	
20 S	44 E	WM	23	SE 1/4	
20 S	44 E	WM	26	NW NE	
20 S	44 E	WM	26	NE NW	
20 S	44 E	WM	26	SW NW	
20 S	44 E	WM	26	SE NW	
20 S	44 E	WM	26	NW SW	
20 S	44 E	WM	26	SW SW	
20 S	44 E	WM	27	NE SE	
20 S	44 E	WM	27	SE SE	
20 S	44 E	WM	34	NE NE	
20 S	44 E	WM	34	SE NE	
20 S	44 E	WM	34	NE SE	
20 S	44 E	WM	34	SW SE	
20 S	44 E	WM	34	SE SE	
20 S	45 E	WM	6	NW SW	6
20 S	45 E	WM	6	SW SW	7
20 S	45 E	WM	7	NW NW	
21 S	43 E	WM	36	SE NE	
21 S	43 E	WM	36	NE SE	
21 S	43 E	WM	36	SE SE	
21 S	44 E	WM	3	NE NE	
21 S	44 E	WM	3	NW NE	
21 S	44 E	WM	3	SW NE	
21 S	44 E	WM	3	SE NE	
21 S	44 E	WM	3	NE SE	
21 S	44 E	WM	3	NW SE	
21 S	44 E	WM	3	SE SE	
21 S	44 E	WM	10	NE NE	
21 S	44 E	WM	10	SE NE	
21 S	44 E	WM	11	NW NW	
21 S	44 E	WM	11	SW NW	
21 S	44 E	WM	11	NE SW	
21 S	44 E	WM	11	NW SW	
21 S	44 E	WM	11	SW SW	
21 S	44 E	WM	11	SE SW	
21 S	44 E	WM	12	NE NE	
21 S	44 E	WM	12	ALL	
21 S	44 E	WM	13	ALL	
21 S	44 E	WM	14	ALL	
21 S	44 E	WM	21	SE SE	



MINING/INDUSTRIAL USES					
Twp	Rng	Mer	Sec	Q-Q	GLot
21 S	44 E	WM	22	NE NE	
21 S	44 E	WM	22	NW NE	
21 S	44 E	WM	22	SW NE	
21 S	44 E	WM	22	SE NE	
21 S	44 E	WM	22	NW 1/4	
21 S	44 E	WM	22	SW 1/4	
21 S	44 E	WM	22	SE 1/4	
21 S	44 E	WM	23	ALL	
21 S	44 E	WM	24	ALL	
21 S	44 E	WM	25	ALL	
21 S	44 E	WM	26	ALL	
21 S	44 E	WM	27	ALL	
21 S	44 E	WM	28	ALL	
21 S	44 E	WM	29	SE NE	
21 S	44 E	WM	29	SE SW	
21 S	44 E	WM	29	SE 1/4	
21 S	44 E	WM	31	NE NE	
21 S	44 E	WM	31	SW NE	
21 S	44 E	WM	31	SE NE	
21 S	44 E	WM	31	SE NW	2
21 S	44 E	WM	31	NE SW	3
21 S	44 E	WM	31	SE SW	4
21 S	44 E	WM	31	SE 1/4	
21 S	44 E	WM	32	ALL	
21 S	44 E	WM	33	ALL	
21 S	44 E	WM	34	ALL	
21 S	44 E	WM	35	ALL	
21 S	44 E	WM	36	ALL	
21 S	45 E	WM	7	ALL	
21 S	45 E	WM	18	ALL	
21 S	45 E	WM	19	ALL	
21 S	45 E	WM	30	NW NW	1
21 S	45 E	WM	30	SW NW	2
21 S	45 E	WM	30	NW SW	3
21 S	45 E	WM	30	SW SW	4
22 S	43 E	WM	1		1
22 S	43 E	WM	1		2
22 S	43 E	WM	1	SW SW	
22 S	43 E	WM	1	SE SW	
22 S	43 E	WM	1	SE 1/4	
22 S	43 E	WM	12	ALL	
22 S	43 E	WM	13	ALL	
22 S	43 E	WM	24	ALL	
22 S	43 E	WM	25	N 1/2	
22 S	44 E	WM	1	E 1/2	
22 S	44 E	WM	2	NE NW	3
22 S	44 E	WM	2	NW NW	4
22 S	44 E	WM	2	SW NW	
22 S	44 E	WM	2	SE NW	
22 S	44 E	WM	2	SW 1/4	
22 S	44 E	WM	3	ALL	

MINING/INDUSTRIAL USES					
Twp	Rng	Mer	Sec	Q-Q	GLot
22 S	44 E	WM	4	ALL	
22 S	44 E	WM	5	ALL	
22 S	44 E	WM	6	ALL	
22 S	44 E	WM	7	ALL	
22 S	44 E	WM	8	ALL	
22 S	44 E	WM	9	ALL	
22 S	44 E	WM	10	ALL	
22 S	44 E	WM	15	NW NE	
22 S	44 E	WM	15	SW NE	
22 S	44 E	WM	15	W 1/2	
22 S	44 E	WM	15	NW SE	
22 S	44 E	WM	15	SW SE	
22 S	44 E	WM	16	ALL	
22 S	44 E	WM	17	ALL	
22 S	44 E	WM	18	ALL	
22 S	44 E	WM	19	ALL	
22 S	44 E	WM	20	N 1/2	
22 S	44 E	WM	20	NE SW	
22 S	44 E	WM	20	NW SW	
22 S	44 E	WM	20	NE SE	
22 S	44 E	WM	20	NW SE	
22 S	44 E	WM	21	N 1/2	
22 S	44 E	WM	21	NE SW	
22 S	44 E	WM	21	NW SW	
22 S	44 E	WM	21	NE SE	
22 S	44 E	WM	21	NW SE	
22 S	44 E	WM	30	N 1/2	

**Permit Amendment T-13157 Conditions:**

The quantity of water diverted at the new point of appropriation (Well 2), together with that diverted at the old point of appropriation (Well 2), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 2).

The combined quantity of water diverted at the new points of appropriation (Wells 3, 4, 5, 6, 7, and underground areas), together with that diverted at the old points of appropriation (Wells 1 and 2), shall not exceed the quantity of water lawfully available at the original point of appropriation (Wells 1 and 2).

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

**Extension of Time Conditions:**

**Last Extension Condition**

This is to be the last extension of time granted for Permit G-10994. Any future extensions of time requests will be denied.

**Checkpoint Condition**

The permit holder must submit a completed Progress Report Form to the Department by **October 1, 2017, October 1, 2022, and October 1, 2027**. *A form will be enclosed with your Final Order.*

- (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 37.260 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:**

The well 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 elevations in the well at all times. When required by the Department, the permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

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.

The original permit was issued April 5, 1990. Actual construction work was to begin on or before April 5, 1991. By Extension of Time Final Order dated December 26, 2012, the deadline for completing construction and for complete application of water to use was extended to October 1, 2028.

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.

OCT 16 2019

Issued \_\_\_\_\_;



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
THOMAS M BYLER, DIRECTOR  
Oregon Water Resources Department