CLAIM OF BENEFICIAL USE for Reservoir Permits by CWREs (not self-certified)



OREGON Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, Oregon 97301-1266 (503) 986-0900

www.oregon.gov/OWRD

A fee of \$230 must accompany this form for permits with priority dates of July 9, 1987, or later.

Claims received without the correct fee of \$200 will be returned.

A separate form shall be completed for each permit.

In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.

This form is subject to revision. Begin each new claim by checking for a new version of this form at: https://www.oregon.gov/OWRD/Forms/Pages/default.aspx

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. Every item must have a response. If any requested information does not apply to the claim, insert "NA." Do not delete or alter any section of this form unless directed by the form. The Department may require the submittal of additional information from any water user or authorized agent.

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.

If you have questions regarding the completion of this form, please call 503-979-9103.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see:

https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx

SECTION 1

GENERAL INFORMATION

1. File Information

APPLICATION #	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)	1
R-88479	R-15393	FERIVIT AIVENDIVIENT # (IF APPLICABLE)	
K-88479	R-15393	,	

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2.	Property (Owner (current	owner	infor	mation)	

APPLICANT/BUSINESS NAME		PHONE No.		Additional Contact No.
SUNRISE PARKWAY LLC	541.601.01	05		
Address				
POB 1269				
CITY	STATE	ZIP	E-MAIL	
SHADY COVE	OR	97539	ROBINWRR	C@AOL.COM

If the current property owner is not the permit holder of record, it is recommended that an assignment be filed with the Department. *Each* permit holder of record must sign this form.

3. Permit holder of record (this may, or may not, be the current property owner)

PERMIT HOLDER OF RECORD		
A.		
Address		
Сіту	STATE	ZIP

4. Date of Site Inspection:

MULTIPLE – 2022, 2023, 2024

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
ROBIN and GARY WEATHERS	JAN/FEB 2024	PERMITTEES
JOHN AMES	MULTIPLE	SITE MANAGER

6. County

JACKSON

7. If any property described in the place of use of the permit final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):

OWNER OF RECORD		
Address		
Сіту	STATE	ZIP

Add additional tables for owners of record as needed

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SECTION 2 SIGNATURES

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



CWRE NAME		PHONE NO.		ADDITIONAL CONTACT NO.
RICK PARSONS		541.499.02	57	303.667.5067
ADDRESS				
1619 MINEAR RD				
CITY	STATE	ZIP	E-MAIL	
MEDFORD	OR	97501	RICK.PARS	ONS@PARSONSWATER.COM

Permit Holder's of Record Signature or Acknowledgement

Each permit or transfer holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
Santall	SUNRISE PARKWAY L.L.C. ROBIN WEATHERS MEMBER		MAR 05,2024
& Gayton	GARY WEATHERS, MEMBER	PERMITTEE	MAR 05, 2024
		Door	

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CLAIM DESCRIPTION

1. Reservoir source and, if from surface water, the tributary:

RESERVOIR NAME OR NUMBER	Source	TRIBUTARY
SUNRISE POND	RUNOFF	LITTLE BUTTE CREEK

2. Developed use(s), period of use, and acre foot (af) for each use:

RESERVOIR NAME OR NUMBER	USES	SEASON OR MONTHS WHEN WATER WAS APPROPRIATED FOR STORAGE	VOLUME STORED (AF)
SUNRISE POND	AGRICULTURE, INCL IRR	DEC – APR	45
Total Quantity of Water Stored	45		

3. Provide a general narrative description of the distribution works. This description must trace the water system from each point of diversion to the reservoir:

RESERVOIR IS FORMED BY UNLINED CELLS WITHIN KIMMEL PROPERTY MINING PERMIT AREA. PROPERTY IS BOUNDED ON WEST SIDE BY HILLS AND FILLED VIA PRECIPITATION AND LOCAL RUNOFF SHEET FLOW PREDOMINANTLY COMING ON SITE FROM NORTH AND NORTHWEST.

Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).

4. Variations:

Was the use developed differently from what was authorized by the permit, permit amendment final order, or extension final order? If yes, describe below.

YES

(e.g. "The permit allowed the development of three reservoirs. The permit holder only developed one of the reservoirs." or "The permit allowed for the storage of 9 acre feet of water. The reservoir was developed to hold 5.2 acre feet.")

5. Claim Summary:

DEVELOPED (AF)
45
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SYSTEM DESCRIPTION

Are there multiple reservoirs?

YES



If "YES" you will need to copy and complete Sections A through E for each reservoir.

Reservoir Name or Number this section describes (only needed if there is more than one):

THERE ARE MULTIPLE CELLS THAT MAKE UP THE RESERVOIR. STORAGE VOLUMES PER CELLS ESTIMATED AS NOTED IN SECTION 4.B.6

A. Reservoir Location

1. Is the reservoir on-channel?

YES



2. Provide dam outlet location and/or point of diversion(s).

TWP	RNG	MER	SEC	QQ	GLOT	DLC	MEASURED DISTANCES
35 S	1 W	W.M.	28	SE SE			NO DAM OUTLET

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).

B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport the water from the point(s) of diversion to the reservoir.

1. Is a pump used?

YES



If "NO" items 2 through item 5 may be deleted.

6. Additional notes or comments related to the system:

MINING EFFORTS HAVE RESULTED IN MULTIPLE CELLS OVER THE MINING PERMIT AREA AND CORRESPONDING STORAGE RIGHT PERMIT AREA. THE MINING CELLS ARE OF DIFFERENT SHAPES AND DEPTHS; AS ILLLUSTRATED IN THE ATTACHED CONTOUR FIGURE. ALL OF THE CELLS ARE PHYSICALLY SEPARATE FROM ONE ANOTHER ALTHOUGH A SUB-GROUP OF MINED CELLS ARE COMPLETELY INUNDATED WITHIN A LARGER AREA WHEN INFLOWS ARE SUFFICIENT TO COVER THE MULTIPLE BELOWGROUND CELLS.

DUE TO THE FAIRLY COMPLEX PHYSICAL SET UP AND THE FACT THIS IS STILL AN ACTIVE MINING SITE, THE USE OF STAFF GAGES TO MEASURE STORAGE VOLUMES IS PROBLEMATIC AND IS NOT CONSIDERED TO PROVIDE MUCH GREATER ACCURACY THAN THE ALTERNATIVE PROPOSAL RECOMMENDED HEREIN.

THIS STORAGE RIGHT IS THE SOURCE OF WATER FOR IRRIGATION ON A NEIGHBORING PARCEL (PERMIT S-55239) THAT WAS PERMITTED COINCIDENT WITH THE STORAGE RIGHT PERMIT. A COBU FOR S-55239 IS

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Revised 7/1/2021

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WE PROPOSE THE FOLLOWING APPROACH TO QUANTIFY WATER ASSOCIATED WITH BOTH THE STORAGE RIGHT AND THE SECONDARY PERMIT.

- 2-FOOT CONTOURS ARE AVAILABLE FROM THE JACKSON COUNTY GIS DEPARTMENT AND WERE USED TO DEVELOP ELEVATION-AREA-STORAGE CAPACITY TABLES OF THE MINING CELLS (ATTACHED).
- THESE CONTOURS RESULT IN A TOTAL MAXIMUM STORAGE VOLUME OF APPROXIMATELY 45
 ACRE-FEET (PERMITTED STORAGE VOLUME OF 300 ACRE-FEET) THAT HAS BEEN FILLED PRIOR TO
 THE C-DATE. NOTE THIS MAXIMUM STORAGE VOLUME IS CONSIDERED TO BE A RELATIVELY
 CONSERVATIVE ESTIMATE. A TOTAL VOLUME OF APPROXIMATELY 130 ACRE-FEET WAS
 ESTIMATED BASED ON RECORDS OF THE IN-GROUND TONS OF MATERIAL EXCAVATED AT SITE
 SINCE MINING BEGAN AND THE STANDARD DOGAMI CONVERSION FACTOR OF IN-GROUND
 TONS TO CUBIC YARDS (AND SUBSEQUENTLY CONVERTED TO ACRE-FEET). AS SUCH, IT IS A
 REASONABLE ASSUMPTION THE CLAIMED STORAGE VOLUME OF 45 ACRE-FFET DOES NOT
 INTERCEPT TRIBUTARY GROUND WATER.
- 3) WATER IN STORAGE IS ESTIMATED FROM THE ELEVATION-CAPACITY TABLES AND THE RECORD OF TOTAL AMOUNT STORED WAS SUBMITTED TO OWRD STARTING IN THE 2024 WATER YEAR.
- 4) FORTY-FIVE (45) ACRE-FEET FROM THIS SOURCE IS LIMITED FOR IRRIGATION USE ON THE ADJACENT 14.8 ACRES OF DEVELOPED AGRICULTURAL LAND (PERMIT S-55239).
- 5) IRRIGATION WATER FROM SUNRISE POND THAT IS USED ON THE 14.8 ACRES IS METERED AND RECORDS OF IRRIGATION WATER USE ARE SUBMITTED TO OWRD ANNUALLY.

C. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe?

If "NO", items 2 through 4 relating to this section may be deleted.

YES NO

D. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

YES (NO

If "NO", items 2 through 4 relating to this section may be deleted.

E. Reservoir

1. Does the reservoir require the submittal of as-built plans and specifications?

VES NO

If "YES", answer item 2; items 3 through 8 relating to this section may be deleted. If "NO", skip items 2; answer items 3 through 8.

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2. Complete the table:

HAVE THE DOCUMENTS BEEN SUBMITTED?	WHEN WERE THE DOCUMENTS SUBMITTED?	HAVE THEY BEEN APPROVED BY THE DEPARTMENT?	NUMBER OF ACRE FEET STORED
YES OR NO			

3. If the reservoir stores less than 9.2 acre-feet of water or if the dam is less than 10 feet in height, and asbuilt plans and specifications are not required, complete the table and items 4 through 8.

MAXIMUM DEPTH	AVERAGE DEPTH	SURFACE AREA	VOLUME
	All to the second	(IN ACRES)	(IN ACRE FEET)
8'-27' IN INDIVIDUAL CELLS	4'-20' IN INDIVIDUAL CELLS	4.5 ACRES MAXIMUM	45 AC-FT MAXIMUM

4. Provide reservoir volume calculations:

SEE ATTACHED SHEET

5. Provide the following information concerning the physical characteristics of the dam:

CREST	DAM HEIGHT AT	DISTANCE FROM	DISTANCE FROM	WATER LEVEL AT	DOWN-STREAM	UP-STREAM
WIDTH (W)	CENTERLINE (H)	DOWNSTREAM TOP OF DAM TO DOWNSTREAM TOE (L)	UPSTREAM TOP OF DAM TO UPSTREAM TOE (U)	INSPECTION	SLOPE	SLOPE
ALL CELLS	ARE BELOW GR	OUND				

6. Provide a drawing showing the cross section of the dam at the maximum section indicating details and dimensions. The drawing should be drawn at a standard even scale.

ALL CELLS ARE BELOW GROUND

7. Describe the outlet works (size and type of the outlet conduit and location):

NOT APPLICABLE

8. Describe the emergency spillway (dimensions and location):

BOTTOM WIDTH (W)	TOP WIDTH (L)	SPILLWAY DEPTH (H)
NOT APPLICABLE		

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CONDITIONS

All conditions contained in the permit, permit amendment, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Permits and any extension final orders contain any or all of the following dates; the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed was to be completed. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit or extension final order:

	DATE FROM PERMIT	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	1/6/2019		
BEGIN CONSTRUCTION (A)	1/6/2024	1990s – PRESENT	MINING AGGREGATE MATERIAL
COMPLETE CONSTRUCTION (B)	1/6/2024	2023	MINING IS ONGOING ALTHOUGH HAS BEEN MINIMAL IN RECENT MINING
COMPLETE APPLICATION OF WATER (C)	1/6/2024	2023	YEARS AS RECLAMATION EFFORTS HAVE BEEN ONGOING. ADDITIONAL STORAGE CAPACITY TO BE CREATED BY MINING NOT CONSIDERED TO BE SIGNIFICANT.

^{*} must be within period between permit or any extension final order issuance and the date to completely apply water

2.	Is	there	an	extension	final	ord	er(s)	1
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a. Does the permit, permit amendment, or any extension final order require the installation of a meter or approved measuring device? NO

If "NO", items b through f relating to this section may be deleted.

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.

b. Has a meter been installed?



c. Meter Information

POD/POA Name or #	Manufacturer	SERIAL#	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED

If a meter has been installed, items d through f relating to this section may be deleted.

d. If a meter has not been installed, has a suitable measuring device, has a suitable measuring device been installed and approved by the Department? YES

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e. If "YES", provide a copy of the letter approving the device, if available. If the letter is not available provide the name and title of the Water Resources Department employee approving the measuring device, and the approximate date of the approval:

NAME	TITLE	APPROXIMATE DATE

f. Measurement Device Description

DEVICE DESCRIPTION	CONDITION	DATE INSTALLED
	(WORKING OR NOT)	

4. Recording and reporting conditions

a. Is the water user required to report the water use to the Department?

NO

If "NO", item b relating to this section may be deleted.

b. Have the reports been submitted?

If the reports have not been submitted, attach a copy of the reports if available.

5. Outlet Pipe

a. Is the water user required to install a minimum 8"outlet pipe/conduit?

If "NO", items b through c relating to this section may be deleted.

6. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion?

If "NO", items b through e relating to this section may be deleted.

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. The ODFW self certification form needs to have been previously submitted or be attached to this form.

e. If the diversion does **not involve** a **pump** or the **total** diversion rate of all rights at the point of diversion is 225 gpm (0.5 cfs) or greater:

Has the ODFW approval been previously submitted?

NO YES NA

If not, contact and work with ODFW to ensure compliance. To demonstrate compliance, provide signed documentation from ODFW. A form is available at https://www.oregon.gov/OWRD/Forms/Pages/default.aspx

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. In order to receive a favorable approval, the ODFW/WRD "Fish Screen Inspection" form needs to have been previously submitted or be attached to this form.

7. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion?

If "NO", items b and c relating to this section may be deleted.

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8. Other conditions required by permit, permit amendment final order, or extension	final order
a. Was the water user required to restore the riparian area if it was disturbed?	YES (NO)
b. Was a fishway required?	YES NO
c. Was submittal of a letter from an engineer required prior to storage of water?	YES NO
d. Was submittal of a water management and conservation plan required?	YES NO
e. Other conditions?	YES (NO)
If "YES" to any of the above, identify the condition and describe the water user's action comply with the condition(s):	s to

ATTACHMENTS

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
MINING CELLS CONTOUR FIGURE	
ELEVATION-AREA-CAPACITY TABLES FOR MI	NING CELLS

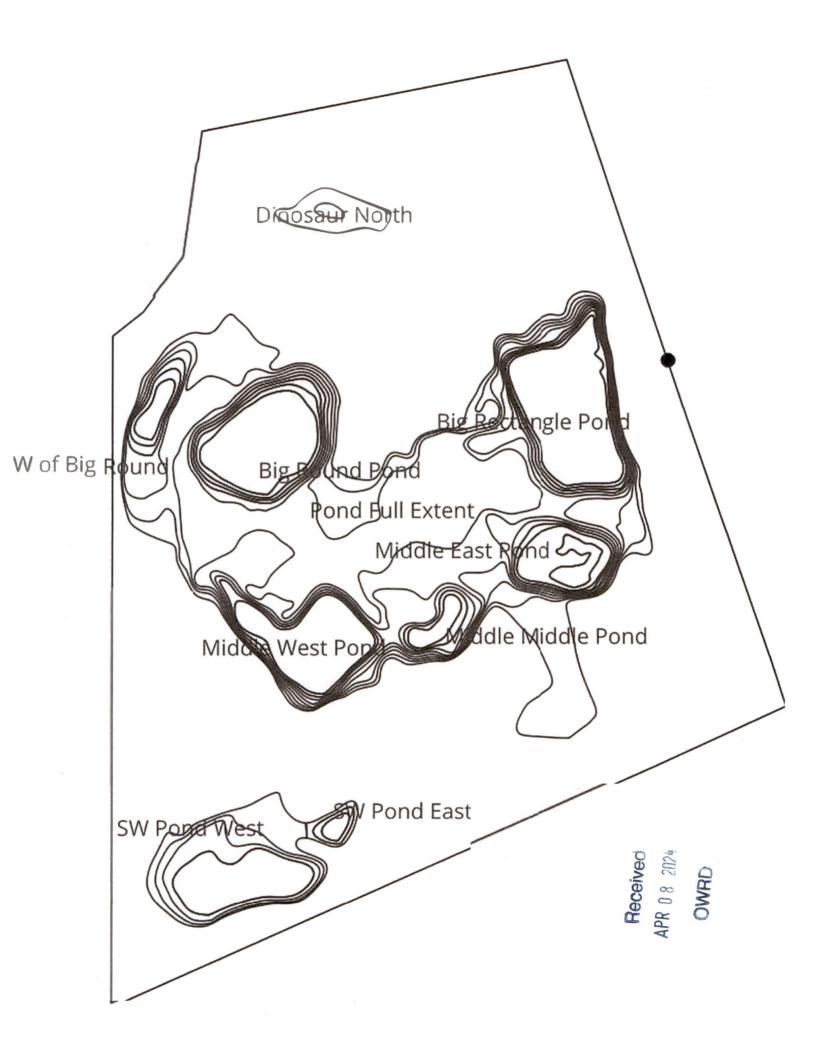
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CLAIM OF BENEFICIAL USE MAP

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1'' = 1320 feet, 1'' = 400 feet, or the original full-size scale of the county assessor map for the location.

includ	le a general description of the survey method used to prepare the ma e, but are not limited to, a traverse survey, GPS, or the use of aerial p ial photo, provide the source, date, series and the aerial photo identi	hotos. If the basis of the survey is
Мар	Checklist	
	be sure that the map you submit includes ALL the items listed belownder: Incomplete maps and/or claims may be returned.)	·.
	Map on polyester film.	
	Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-smap)	size scale of the county assessor
	Township, Range, Section, Donation Land Claims, and Government I	Lots
	If irrigation, number of acres irrigated within each projected Donatic Quarter-Quarters	on Land Claims, Government Lots
	Locations of fish screens and/or fish by-pass devices in relationship	to point of diversion
	Locations of meters and/or measuring devices in relationship to poi	nt of diversion
	Conveyance structures illustrated (pumps, reservoirs, pipelines, ditc	hes, etc.)
	Point(s) of diversion or appropriation (illustrated and coordinates)	
	Tax lot boundaries and numbers	
	Source illustrated if surface water	
	Disclaimer ("This map is not intended to provide legal dimensions of lines")	r locations of property ownership
	Application and permit number or transfer number	
	North arrow	
	Legend	
	CWRE stamp and signature	Received
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SUNRISE POND (PERMIT S-15393) STORAGE VOLUME CALCULATIONS

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
ID	Area	Total	Pond Name		Max Depth	Contour	RADIUS	DIFF	SLOPE	VOLUME	Total	Total Area
	(acs)	Area 0.0080		(ft)	(ft) 12	Depth (ft)	10.5				Volume (AF) 0.53	(acs) 0.09
1			Dinosaur North	1440	12	2	11.2	0.7	22	0.02	0.55	0.09
2			Dinosaur North	1450		10	35.9	24.6	22	0.51		
		0.0305	Diriosadi Nortii	1430	8	10	20.6	24.0		0.51	0.52	0.15
11			W of Big Round	1436	0	2	21.1	0.5	16	0.06	0.52	0.13
12			W of Big Round	1438		2	27.9	6.8	16	0.09		
13			W of Big Round	1440		2	33.4	5.5	20	0.14		
14			W of Big Round	1442		2	45.2	11.8	10	0.14		
	0.1931		VV OI DIG ITOURIG	1442	25		51.7	11.0	10	0.20	6.21	0.40
21			Big Round Pond	1432	20	17	57.2	5.4	19	3.65	0.21	0.40
22			Big Round Pond	1434		2	62.9	5.7	19	0.52		
23			Big Round Pond	1436		2	66.8	3.9	27	0.61		
24	and the same of th		Big Round Pond	1438		2	70.2	3.4	30	0.68		
			Big Round Pond	1440		2	74.7	4.5	24	0.76		
25	0.2658		big Roulid Folid	1440	27		60.7	4.0	24	0.70	9.08	0.50
31			Big Rectangle Pond	1430	21	19	68.8	8.1	26	5.77	9.00	0.50
32			Big Rectangle Pond	1432		2	72.9	4.1	26	0.72		
33			Big Rectangle Pond	1434		2	75.5	2.6	37	0.72		
34			Big Rectangle Pond	1436		2	78.2	2.7	36	0.75		
35			Big Rectangle Pond	1438		2	83.5	5.3	21	0.83		
33	0.1833		big Rectarigle Fortu	1430	14		50.4	5.5	21	0.54	2.98	0.28
41			Middle West Pond	1432	14	10	54.4	4.0	24	1.98	2.90	0.20
42			Middle West Pond	1434		2	58.8	4.4	24	0.46		
43			Middle West Pond	1436		2	62.4	3.6	29	0.53		
70	0.0299		Wildle West Folia	1430	8		20.4	3.0		0.55	0.36	0.08
51			Middle Middle Pond	1432	-	4	21.5	1.2	17	0.13	0.50	0.00
52			Middle Middle Pond	1434		2	28.0	6.4	17	0.09		
53			Middle Middle Pond	1436		2	33.9	6.0	18	0.03		
	0.0207		Wilder Wilder Forte	1430	10		22.9	0.0	10	0.14	1.42	0.39
61			Middle East Pond	1430	10	2	23.1	0.2	6	0.08	1.42	0.55
62			Middle East Pond	1432		2	42.2	19.1	6	0.17		
63			Middle East Pond	1434		2	46.0	3.9	27	0.28		
64			Middle East Pond	1436		2	49.5	3.5	30	0.33		
65			Middle East Pond	1438		2	73.9	24.4	5	0.57		
	0.0117		Wilder Last Ford	1400	8		12.7	24.4		0.07	0.16	0.04
71			SW Pond East	1462		4	14.1	1.3	20	0.05	0.10	0.04
72			SW Pond East	1464		2	19.5	5.4	20	0.03		
73			SW Pond East	1466		2	24.3	4.8	23	0.07		
7.5	0.0132		OTT I ONG LASE	1400	8		49.1	7.0		0.07	2.09	0.38
81	and the second s		SW Pond West	1460		2	49.4	0.3	10	0.35	2.00	0.00
82			SW Pond West	1462		2	61.0	11.6	10	0.33		
83			SW Pond West	1466		4	72.5	11.5	19	1.30		
	0.4699		511 1 Olid 1103t	1400	10	7	80.7	11.0	10	1.00	21.40	3.96
91	-		Pond Full Extent	1438	10	2	80.8	0.1	2	0.94	21.70	0.00
92			Pond Full Extent	1440		2	149.3	68.5	2	2.08		
93			Pond Full Extent	1442		2	201.7	52.4	2	4.54		
94			Pond Full Extent	1444		2	219.4	17.7	6	6.41		
95			Pond Full Extent	1446		2	234.5	15.0	8	7.44		
	0.0047	3.0047	, sha i an Extern	1440		-	201.0	10.0		,	45	4.5

Source: 2-ft contours (4) from Jackson County GIS website.

Notes: Dinosaur North, SW Pond East and SW Pond West NOT included in Pond Full Extent.

Area of cell floor [first reading for each cell in (1)] assumes same bank slope of lowest two contours. Slope calculations [(7) through (9)] simplified using area of circle = pi * r-squared.

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^{(1), (2)} Areas are incremental areas between contours except for Pond Full Extent, which are total areas for each contour.

⁽⁵⁾ Max Depth provided by mining permit holder.

⁽⁶⁾ Based on (4) and (5).

^{(10), (11)} Volume calculations based on average surface area between successive contours (3) times depth between successive contours (6).