

Application No. G17299

Permit No. G 16822

Certificate No. _____

FEES PAID

Date	Amount	Receipt No.
1-19-10	\$1,000.00	99012
1-25-10	650.00	99057
	Cert. Fee	

FEES REFUNDED

Date	Amount	Receipt No.

Name G-17299
By THREE VALLEYS RANCH, LLC
Address STEVE JAY
PO BOX 5075
BRIDGEPORT OR 97819

Date

DENIED _____

MISFILED _____

WITHDRAWN _____

CANCELLED _____

Volume Page

Priority 1-19-2010

County MACN WM# 9

RELATED FILES

ASSIGNMENTS

Date	To Whom	Address

DEVELOPMENT

Date

Completion 1/6/2010

Extended to _____

Final Proof received _____

Proposed Cert. Mailed _____

REMARKS _____

RE DATE:

11, 2010

MAP LOCATION _____

Dear Customer Service Group :

PORTLAND
BILL
MAP

RICK
LUSK

This application has received our assistance here in Watermaster District

8

by Jan Alexander / 3 Valley Ranch Phone # 541-446-3413
(Name)

Please let us know if there is anything else that might be needed.

Assistance was provided in the preparation of the:

- ☒ Application
- ☒ Map
- ☐ Other

RECEIVED

JAN 19 2010

WATER RESOURCES DEPT
SALEM, OREGON

24

Routing Slip

Oregon Water Resources Department

Water Rights Service Division

Date: 2-9-2021

File: G-17299

Subject/Process: waiting for fee + sis. on Assign.

From: Mary BjorE

ACTION	DATE
NOTES: Leona found in Codi's 60-Day files	
TO:	

No Fees received

*lin

2-10-2021

Waiting on
Will to get
signature!

TT
Will,
wait for
fee +
etc...

Routing Slip

Oregon Water Resources Department

Water Rights Service Division

Date: 2-9-2021

File: G-17299

Subject/Process: waiting for fee of \$15. on Assign.

From: Mary Bjore

ACTION	DATE
NOTES: Leona found in Codi's 60-Day files	
TO:	
TO:	
TO:	

TT
Will,
wait for
fee &
etc...

No Fees received

*ln

2-10-2021
Waiting on
Will to get
signature /



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

Resolve
still
no follow-
up fr...

Best Regards,

Mary

Mary F. Bjork

Water Rights Program Analyst

725 Summer St NE, Suite A, Salem OR 97301 | Phone 503-986-0817



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking



Virus-free. www.avg.com

BJORK Mary F * WRD

From: Will Reishman <will@undollars.com>
Sent: Thursday, January 28, 2021 12:30 PM
To: BJORK Mary F * WRD
Subject: Update, re: Permit G-16822, Assignment Information

Hi, Mary:

From conversation with Mr. Steve Jay "Agent" for "Three Valleys Ranch" – the "Manager" Mr. Hammond, is only in the U.S. for a few days before he returns to Costa Rico for another stretch (how long..?).

Without being too 'pushy' am trying to get Mr. Jay to get this in front of him during this brief period. Will keep at it, respectfully, of course.

Just keeping you in the loop on progress.

Thanks for your attention and consideration.

Will

Will Reishman
General Partner
The Questus Fund, LP
228 East Main St., Ste 2D
Medford, OR 97501
541-200-6293
will@undollars.com

From: BJORK Mary F * WRD [mailto:Mary.F.Bjork@oregon.gov]
Sent: Wednesday, January 27, 2021 9:52 AM
To: Will Reishman
Cc: BJORK Mary F * WRD
Subject: Permit G-16822, Assignment Information

Hi Will,

Thanks for discussing the request for assignment on Permit G-16822, this morning. As discussed, since the permit holder of record is available to assign the permit to the new owner of the property covered by Permit G-16822, the attached Assignment Form may be used.

The current permit holder of record is Three Valleys Ranch, LLC. The registered agent on the application for the permit is Steve Jay. Steve or another verified registered agent for Three Valleys Ranch, LLC, may sign the form.

Please let me know if you have any additional questions. I will retain the items you sent by post while I await the submittal of a new form and \$100 fee.

HOLMES Codi N * WRD

From: HOLMES Codi N * WRD
Sent: Wednesday, December 16, 2020 2:33 PM
To: R. Scott Craig
Subject: RE: Application G-17299 and Permit G-16822
Attachments: assignment.pdf

Scott-

Yes the application can be assigned to a new landowner. I'll attached the form needed to be signed by the permit holder of record. However, is has this project began development by the current landowner? The new landowner can contact me regarding the water right and I will work with them. However, I am unable to hold this file more than 90 days, and will cancel the right. If the water right is cancelled, the new landowner will lose this right and will need to apply again, go through a new review process and be granted a new permit.

Codi Holmes

Certificate Specialist
503-986-0887

From: R. Scott Craig <rscottcraig@gmail.com>
Sent: Wednesday, December 16, 2020 9:01 AM
To: HOLMES Codi N * WRD <Codi.N.Holmes@oregon.gov>
Subject: Application G-17299 and Permit G-16822

Good Morning Codi,

I am representing the Questus Group in the sale of this property and was asked to find out if this Permit and Application is transferable.

Also, if the Questus group does not complete the Application and Permit process before a sale takes place, can any new owner apply and receive the permits for said water rights?

Thank you in advance for your assistance.

Best Regards,

Scott



R. Scott Craig

Licensed Oregon Real Estate Broker

rscottcraig@gmail.com

Cell - 541.519.9939

www.sunfirerealestate.net

270 Mill Street
Sumpter, OR 97877

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1
G-17299

THREE VALLEYS RANCH LLC
PO BOX 5075
BRIDGEPORT, OR 97819



9590 9402 5870 0038 7399 21

2. Article Number (Transfer from service label)

7018 0360 0000 1345 4033

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Julia Butler

☐ Agent☐ Addressee

B. Received by (Printed Name)

Julia

C. Date of Delivery

11-25-20

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☒ No

RECEIVED

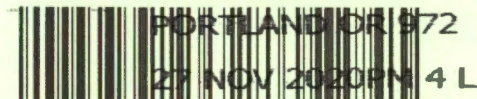
NOV 30 2020

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

USPS TRACKING #



PORTLAND OR 972

27 NOV 2020PM 4 L



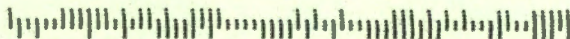
First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

9590 9402 5870 0038 7399 21

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

Oregon Water Resources
725 Summer St NE, Suite A
Salem, OR 97301





Oregon

Kate Brown, Governor

NOTE: For water rights information and useful forms, please see our web site at

www.oregon.gov/OWRD

Certified mail number 7018 0360 0000 1345 4033

Return receipt requested

Water Resources Department

North Mall Office Building

725 Summer St NE Ste A

Salem, OR 97301-1266

Phone: 503-986-0900

Fax: 503-986-0904

www.Oregon.gov/OWRD

November 23, 2020

THREE VALLEYS RANCH LLC
PO BOX 5075
BRIDGEPORT, OR 97819

Reference: Application G-17299, Permit G-16822

Dear Permit Holder:

This letter is in regard to your water use permit as referenced above. Your permit required you to complete the development of your water use by January 6, 2016.

In order for the Department to consider issuance of a certificate of water right, you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. The map and claim of beneficial use were to have been submitted to our Department within one year of January 6, 2016. The fee for submitting a claim of beneficial use is \$200.00. Please see the enclosed 'Resource Sheet' for our current database of CWRE's.

If you are not finished with the development of your permit, you need to file an application for an extension of time to complete your development. The fee for filing an extension of time is \$670.00. Please see the enclosed 'Resource Sheet' to access the extension of time form.

In the event that you are no longer using water as allowed by this permit, you should cancel it so that we may clear our records. Please see the enclosed 'Resource Sheet' to access the cancellation form, if you are interested in this option.

If you have not submitted either a Claim of Beneficial Use or a request for an extension of time for your permit within 60 days of the date of this letter (February 1, 2021) the Department may issue a Final Order to cancel your permit without further notice. If the Department issues a Final Order to cancel your permit, and you request reconsideration of the final order and reinstatement of your permit, there is a \$520.00 reinstatement fee that is charged in addition to the claim of beneficial use or extension of time fee.

Should you have any questions, please contact me at Codi.N.Holmes@oregon.gov, the address above or by telephone at 503-986-0887. Due to Covid-19, email may be the best way to reach me.

Sincerely,

Codi Holmes
Certificate Specialist

Enclosures (1)

cc: File
OWRD Watermaster District 9





Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

November 23, 2020

The Questus Fund LTD Partnership
228 E Main St Suite D
Medford, OR 97501

Reference: Application G-17299 Permit G-16822

Dear Property Owner,

You have been identified as the owner of lands covered in part or in whole by the above referenced permit.

Please see the enclosed 'Resource Sheet' to access the assignment form if you wish to continue using this water.

Should you have any questions, please contact me at Codi.N.Holmes@oregon.gov, the address above or by telephone at 503-986-0887. Due to Covid-19, email may be the best way to reach me.

Sincerely,

Leona Albin

for Codi Holmes
Certificate Specialist



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

November 23, 2020

USA
General Delivery
Washington, DC 20013

Reference: Application G-17299 Permit G-16822

Dear Property Owner,

You have been identified as the owner of lands covered in part or in whole by the above referenced permit.

Please see the enclosed 'Resource Sheet' to access the assignment form if you wish to continue using this water.

Should you have any questions, please contact me at Codi.N.Holmes@oregon.gov, the address above or by telephone at 503-986-0887. Due to Covid-19, email may be the best way to reach me.

Sincerely,

for Codi Holmes
Certificate Specialist

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) \$ _____
- ☐ Return Receipt (electronic) \$ _____
- ☐ Certified Mail Restricted Delivery \$ _____
- ☐ Adult Signature Required \$ _____
- ☐ Adult Signature Restricted Delivery \$ _____

Postage

\$

Total Postage and Fees

\$

Sent To

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

Postmark
Here

Certified Mail service provides the following benefits:

- A receipt (this portion of the Certified Mail label).
- A unique identifier for your mailpiece.
- Electronic verification of delivery or attempted delivery.
- A record of delivery (including the recipient's signature) that is retained by the Postal Service™ for a specified period.

Important Reminders:

- You may purchase Certified Mail service with First-Class Mail®, First-Class Package Service®, or Priority Mail® service.
- Certified Mail service is *not* available for international mail.
- Insurance coverage is *not* available for purchase with Certified Mail service. However, the purchase of Certified Mail service does not change the insurance coverage automatically included with certain Priority Mail items.
- For an additional fee, and with a proper endorsement on the mailpiece, you may request the following services:
 - Return receipt service, which provides a record of delivery (including the recipient's signature). You can request a hardcopy return receipt or an electronic version. For a hardcopy return receipt, complete PS Form 3811, *Domestic Return Receipt*; attach PS Form 3811 to your mailpiece;

for an electronic return receipt, see a retail associate for assistance. To receive a duplicate return receipt for no additional fee, present this USPS®-postmarked Certified Mail receipt to the retail associate.

- Restricted delivery service, which provides delivery to the addressee specified by name, or to the addressee's authorized agent.
- Adult signature service, which requires the signee to be at least 21 years of age (not available at retail).
- Adult signature restricted delivery service, which requires the signee to be at least 21 years of age and provides delivery to the addressee specified by name, or to the addressee's authorized agent (not available at retail).
- To ensure that your Certified Mail receipt is accepted as legal proof of mailing, it should bear a USPS postmark. If you would like a postmark on this Certified Mail receipt, please present your Certified Mail item at a Post Office™ for postmarking. If you don't need a postmark on this Certified Mail receipt, detach the barcoded portion of this label, affix it to the mailpiece, apply appropriate postage, and deposit the mailpiece.

IMPORTANT: Save this receipt for your records.

Mailing List for 60-Day Letter

Application: G-17299

Permit: G-16822

Permit Holder(s):

THREE VALLEYS RANCH LLC
PO BOX 5075
BRIDGEPORT OR 97819

Copies Mailed	
by: <u>La</u>	(STAFF)
on: <u>11-23-20</u>	(DATE)

Is the Permit Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? **YES NO**

Copies of Cancellation Order to be sent to Permit Holder(s) and following:

1. Watermaster District #9
2. File

Other persons to receive copies:

The Questus Fund LTD Partnership
228 E Main St Suite D
Medford, OR 97501

USA
General Delivery
Washington, DC 20013

COMPLETENESS PROJECT

Page 1

60 Day Letter

PERMIT STATUS REVIEW BY C. Holmes DATE _____ FILE # G 172991. Per Dwight French, do not send "C" DATE NOTICE PACKET if: update WRIS if appropriate____ Extension pending Yes No _________ Assignment is pending Yes No _________ Cancellation has been requested Yes No _________ Claim of Beneficial Use received Yes No _____
Date information received _____

Dept. has already sent a certified 60-Day Compliance letter (date: _____ Cert mail # _____)

Was 60 days notice allowed? Y N If No, How Much Time ? _____

Was mail deliverable as addressed? Y N date _____

If mail returned, online/www check ? Y N date _____ successful ? Y N

Re-send Cert. Letter ? Y N date _____

Send cancellation order Y N

2. IF NONE OF THE ABOVE APPLY

Yes Send certified "C" date notice packet to permit holder."C" DATE Jan 6 2016 BASIN NUMBER _____ WM # 9CWRE or AGENT Yes No _____3. AOI Yes _____ NO X If Yes, name(s) of AOI _____

4. Current Landowner(s) and Mailing Address

County of Place of Use Malheur Tax Lot(s) HS 42E 01300

Attach copy of email from County Assessor or Printout from Assessor's Site

USA/BLMThe Questus fund Ltd

Contacts regarding 60 Day Letter:

Hold Action Request from Permit/Landowner – Date of Request _____ Requesting Parties Name _____

Hold Action Until (Date) _____

No more than 60 days beyond original deadline to submit an extension, assignment, or Alt Res CBU

Hold Action Request from CWRE – Date of Request _____ CWRE Name _____

Hold Action Until (Date) _____

No more than 6 months beyond original deadline to submit a CBU

COMPLETENESS PROJECT
Page 2

Final Cancellation Review

PERMIT STATUS REVIEW BY _____ *DATE* _____

1. C Date ____/____/____
 2. Certified Letter Date ____/____/____
 3. Return Receipt Rcvd. ____/____/____
 4. Return Receipt Signed By _____
 5. Other Communication: ____/____/____
-

Recommend Cancellation ☐ or
Hold Action until ____/____/____

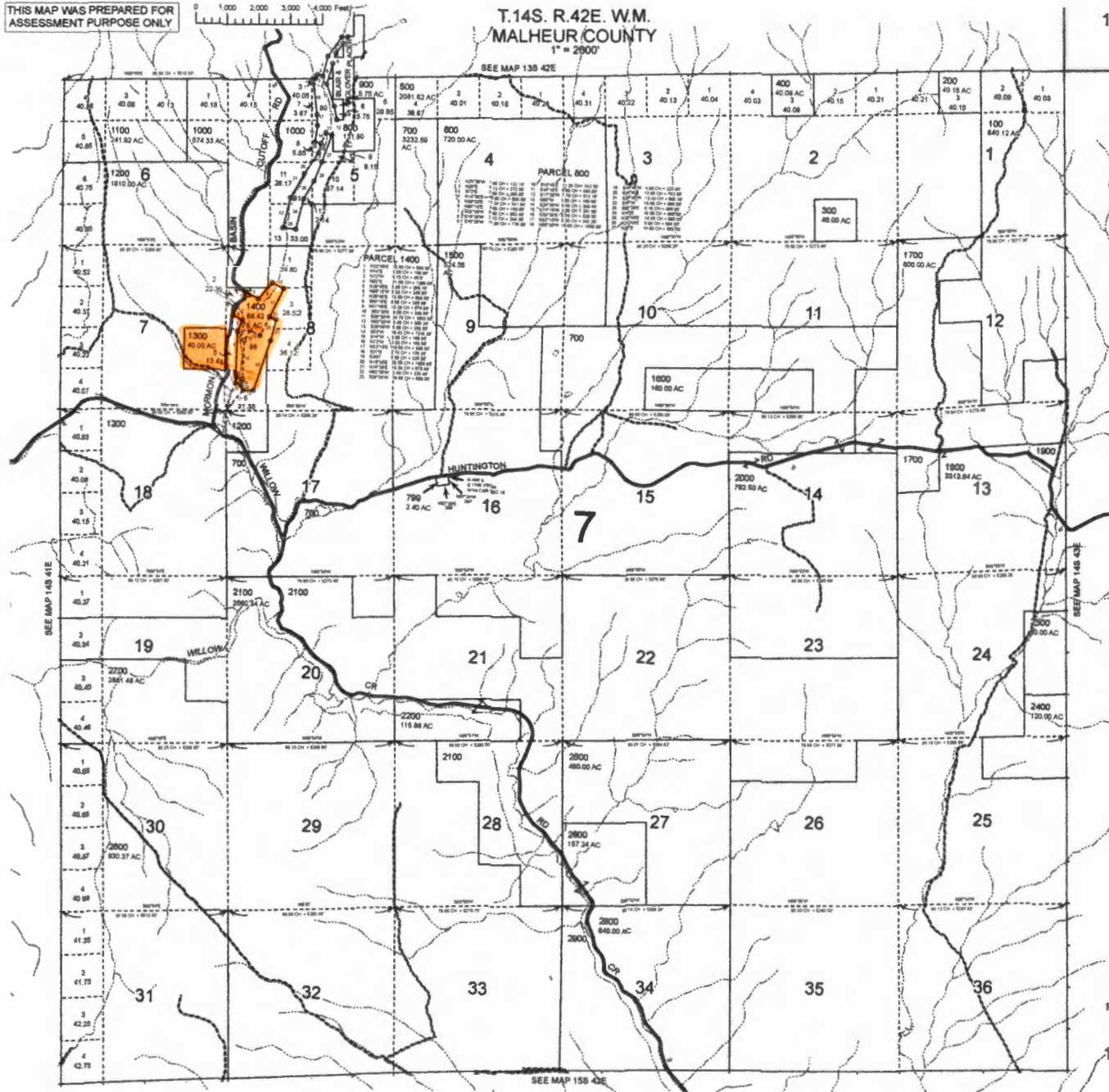
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

0 1,000 2,000 3,000 4,000 Feet

T.14S. R.42E. W.M.
MALHEUR COUNTY
1" = 2000'

14S42E

Cancelled
1800



Revised: MA
05/19/2016

14S42E

Notice: The information provided here is for convenience ONLY. The records located at Malheur County Assessor's office are the one and only legal instruments for assessment purposes. Although reasonable attempts are made to maintain this information as accurate as possible, these documents are being provided as an informational convenience ONLY. Malheur County is not, in any way, liable for any inaccuracies, inconsistencies, errors, omissions, or other deviations in these documents from the original copies maintained and filed at the Malheur County Assessor's Office, Vale, Oregon.

Date Web Site was last updated 10/28/2020

Value and tax information for tax year 2020

Ref#:5595 Type of Property : REAL PROPERTY

MAP#	TAX LOT#	A NUM	CODE	PROPERTY CLASS/DESC	ZONE
14S42	1400	0	7	500 FARM/MKT VALUE/VAC	C-A2

OWNER:	THE QUESTUS FUND LTD PRTNSHIP
CONTRACT:	
ETAL(s):	
MAILING ADDRESS:	
	228 E MAIN ST SUITE 2D
CITY/ST:	MEDFORD, OR ,97501

PROPERTY ADDRESS: 0

NOTES:

PHOTO# 178-4R

	REAL MKT VALUE	ASSESSED(TAXABLE) VALUE
LAND	\$25,660	
STRUCTURES	\$0	
SUBTOT	\$25,660	\$8,080
TOTAL	\$25,660	\$8,080

PROPERTY TAX INFORMATION

Do not pay this amount! For current balance owing, contact our office.
Contact information may be found at this web page [Tax Office](#)

BASE TAX	\$118.26
TOTAL BASE TAX & SPECIAL ASSESSMENTS	\$118.26

Notice: The information provided here is for convenience ONLY. The records located at Malheur County Assessor's office are the one and only legal instruments for assessment purposes. Although reasonable attempts are made to maintain this information as accurate as possible, these documents are being provided as an informational convenience ONLY. Malheur County is not, in any way, liable for any inaccuracies, inconsistencies, errors, omissions, or other deviations in these documents from the original copies maintained and filed at the Malheur County Assessor's Office, Vale, Oregon.

Date Web Site was last updated 10/28/2020

Value and tax information for tax year 2020

Ref#:16158 Type of Property : REAL PROPERTY

MAP#	TAX LOT#	A NUM	CODE	PROPERTY CLASS/DESC	ZONE
14S42	1300	0	7	970 EXEMPT/FED/VACANT	C-A2

OWNER:	U S A
CONTRACT:	
ETAL(s):	
MAILING ADDRESS:	
	GEN DEL
CITY/ST:	WASHINGTON, D C ,20013

PROPERTY ADDRESS: 0

NOTES:

PHOTO# 178-4R

	REAL MKT VALUE	ASSESSED(TAXABLE) VALUE
LAND	\$15,000	
STRUCTURES	\$0	
SUBTOT	\$15,000	\$0
TOTAL	\$15,000	\$0

PROPERTY TAX INFORMATION

Do not pay this amount! For current balance owing, contact our office.
Contact information may be found at this web page [Tax Office](#)

BASE TAX	\$0.00
TOTAL BASE TAX & SPECIAL ASSESSMENTS	\$0.00

Notice: The information provided here is for convenience ONLY. The records located at Malheur County Assessor's office are the one and only legal instruments for assessment purposes. Although reasonable attempts are made to maintain this information as accurate as possible, these documents are being provided as an informational convenience ONLY. Malheur County is not, in any way, liable for any inaccuracies, inconsistencies, errors, omissions, or other deviations in these documents from the original copies maintained and filed at the Malheur County Assessor's Office, Vale, Oregon.

Date Web Site was last updated 10/28/2020

Value and tax information for tax year 2020

Ref#:16157 Type of Property : REAL PROPERTY

MAP#	TAX LOT#	A NUM	CODE	PROPERTY CLASS/DESC	ZONE
14S42	1000	0	7	970 EXEMPT/FED/VACANT	C-A2

OWNER:	U S A
CONTRACT:	
ETAL(s):	
MAILING ADDRESS:	
	GEN DEL
CITY/ST:	WASHINGTON, D C ,20013

PROPERTY ADDRESS: 0

NOTES:
PHOTO NONE

	REAL MKT VALUE	ASSESSED(TAXABLE) VALUE
LAND	\$215,370	
STRUCTURES	\$0	
SUBTOT	\$215,370	\$0
TOTAL	\$215,370	\$0

PROPERTY TAX INFORMATION

Do not pay this amount! For current balance owing, contact our office.
Contact information may be found at this web page [Tax Office](#)

BASE TAX	\$0.00
TOTAL BASE TAX & SPECIAL ASSESSMENTS	\$0.00

**Oregon Water Resources Department
Water Rights/Adjudications Division**

Water Rights Application
Number G-17299

Final Order

Appeal Rights

This is a Final Order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or 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.

This statement of judicial review rights does not create a right to judicial review of this order, if judicial review is otherwise precluded by law. Where no changes have been made to a Proposed Final Order on a water right application and no protests have been filed during the protest period, the Final Order is not subject to judicial review.

Application History

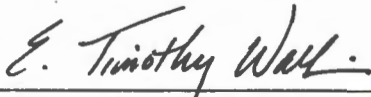
On January 25, 2010, Three Valleys Ranch LLC submitted an application to the Department for a water use permit. The Department issued a Proposed Final Order on October 5, 2010. The protest period closed November 19, 2010, and no protest was filed.

The proposed use would not impair or be detrimental to the public interest.

Order

Application G-17299 therefore is approved as proposed by the Proposed Final Order, and Permit G-16822 is issued as limited by the conditions proposed by the Proposed Final Order.

DATED January 6, 2011



for Phillip C. Ward, Director
Water Resources Department

This document was prepared by Kerry Kavanagh. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me at 503-986-0816.

If you have previously filed a protest and want to know its status, please contact Patricia McCarty at 503-986-0820.

If you have other questions about the Department or any of its programs please contact our Customer Service Group at 503-986-0801.

Address all other correspondence to: Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266, Fax: 503-986-0901.

STATE OF OREGON

COUNTY OF MALHEUR

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

THREE VALLEYS RANCH, LLC.
PO BOX 5075
BRIDGEPORT, OR 97819

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

APPLICATION FILE NUMBER: G-17299

SOURCE OF WATER: WELL 1 (MALH 56/L95124) IN CASH GULCH BASIN

PURPOSE OR USE: MINING

MAXIMUM RATE: 1.0 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: JANUARY 19, 2010

WELL LOCATION: SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 6, T14S, R42E, W.M.; 325 FEET NORTH
AND 240 FEET WEST FROM SE CORNER, SECTION 6

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW $\frac{1}{4}$ SE $\frac{1}{4}$
SE $\frac{1}{4}$ SE $\frac{1}{4}$
SECTION 5

NE $\frac{1}{4}$ SW $\frac{1}{4}$
NW $\frac{1}{4}$ SW $\frac{1}{4}$
SW $\frac{1}{4}$ SW $\frac{1}{4}$
SE $\frac{1}{4}$ SW $\frac{1}{4}$
NE $\frac{1}{4}$ SE $\frac{1}{4}$
NW $\frac{1}{4}$ SE $\frac{1}{4}$
SW $\frac{1}{4}$ SE $\frac{1}{4}$
SE $\frac{1}{4}$ SE $\frac{1}{4}$
SECTION 6

NE $\frac{1}{4}$ NE $\frac{1}{4}$
NW $\frac{1}{4}$ NE $\frac{1}{4}$
SW $\frac{1}{4}$ NE $\frac{1}{4}$
SE $\frac{1}{4}$ NE $\frac{1}{4}$
SECTION 7

TOWNSHIP 14 SOUTH, RANGE 42 EAST, W.M.

THE PLACE OF USE IS LOCATED AS FOLLOWS (CONTINUED):

NE ¼ NW ¼
 NW ¼ NW ¼
 SW ¼ NW ¼
 SE ¼ NW ¼
 NE ¼ SW ¼
 NW ¼ SW ¼
 SW ¼ SW ¼
 SE ¼ SW ¼
 NW ¼ SE ¼
 SW ¼ SE ¼
 SE ¼ SE ¼
 SECTION 7

NW ¼ NE ¼
 SW ¼ NE ¼
 NE ¼ NW ¼
 SW ¼ NW ¼
 SE ¼ NW ¼
 NE ¼ SW ¼
 NW ¼ SW ¼
 SW ¼ SW ¼
 NW ¼ SE ¼
 SECTION 8

NE ¼ NE ¼
 NW ¼ NE ¼
 SW ¼ NE ¼
 SE ¼ NE ¼
 NE ¼ NW ¼
 NW ¼ NW ¼
 SW ¼ NW ¼
 SE ¼ NW ¼
 NE ¼ SW ¼
 NW ¼ SW ¼
 SW ¼ SW ¼
 SE ¼ SW ¼
 NE ¼ SE ¼
 NW ¼ SE ¼
 SW ¼ SE ¼
 SE ¼ SE ¼
 SECTION 17

TOWNSHIP 14 SOUTH, RANGE 42 EAST, W.M.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE $\frac{1}{4}$ NE $\frac{1}{4}$
NW $\frac{1}{4}$ NE $\frac{1}{4}$
SW $\frac{1}{4}$ NE $\frac{1}{4}$
SE $\frac{1}{4}$ NE $\frac{1}{4}$
NE $\frac{1}{4}$ NW $\frac{1}{4}$
NW $\frac{1}{4}$ NW $\frac{1}{4}$
SW $\frac{1}{4}$ NW $\frac{1}{4}$
SE $\frac{1}{4}$ NW $\frac{1}{4}$
NE $\frac{1}{4}$ SW $\frac{1}{4}$
NW $\frac{1}{4}$ SW $\frac{1}{4}$
SW $\frac{1}{4}$ SW $\frac{1}{4}$
SE $\frac{1}{4}$ SW $\frac{1}{4}$
NE $\frac{1}{4}$ SE $\frac{1}{4}$
NW $\frac{1}{4}$ SE $\frac{1}{4}$
SW $\frac{1}{4}$ SE $\frac{1}{4}$
SE $\frac{1}{4}$ SE $\frac{1}{4}$

SECTION 18

TOWNSHIP 14 SOUTH, RANGE 42 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee 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.
- C. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where any meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well.

The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

Any effluents or return flows from use under this permit shall not interfere with other beneficial uses of water.

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

STANDARD CONDITIONS

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.

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may be subject to cancellation, unless the Department authorizes the change in writing.

If substantial interference with a senior water right occurs due to withdrawal 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 well(s) 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.

If the riparian area is disturbed in the process of developing a point of appropriation, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

Prior to receiving a certificate of water right, the permit holder shall submit to the Water Resources Department, the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.

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.

Completion of construction and application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued January 6, 2011

E. Timothy Wall

for Phillip C. Ward, Director
Water Resources Department

Mailing List for FO Copies

Application #G-17299

Original mailed to applicant with claim of beneficial use form:

THREE VALLEYS RANCH LLC
ATTENTION: STEVE JAY
PO BOX 5075
BRIDGEPORT OR 97819

Copies sent to:

1. WRD - File # G-17299
2. WRD - Ken Stahr

Copies Mailed	
By: <u>SJS</u>	(SUPPORT STAFF)
on: <u>1/2/11</u>	(DATE)

FO and Map Copies sent to (remember to reduce copy margins):

3. WRD - Watermaster District #: 9
4. WRD - Regional Manager: EASTERN

Copies sent to Other Interested Persons (CWRE, Agent, Commenter, etc.)

"\$20 LETTER" sent to Interested Persons who have not protested or paid for copies

CASEWORKER : Kerry Kavanagh

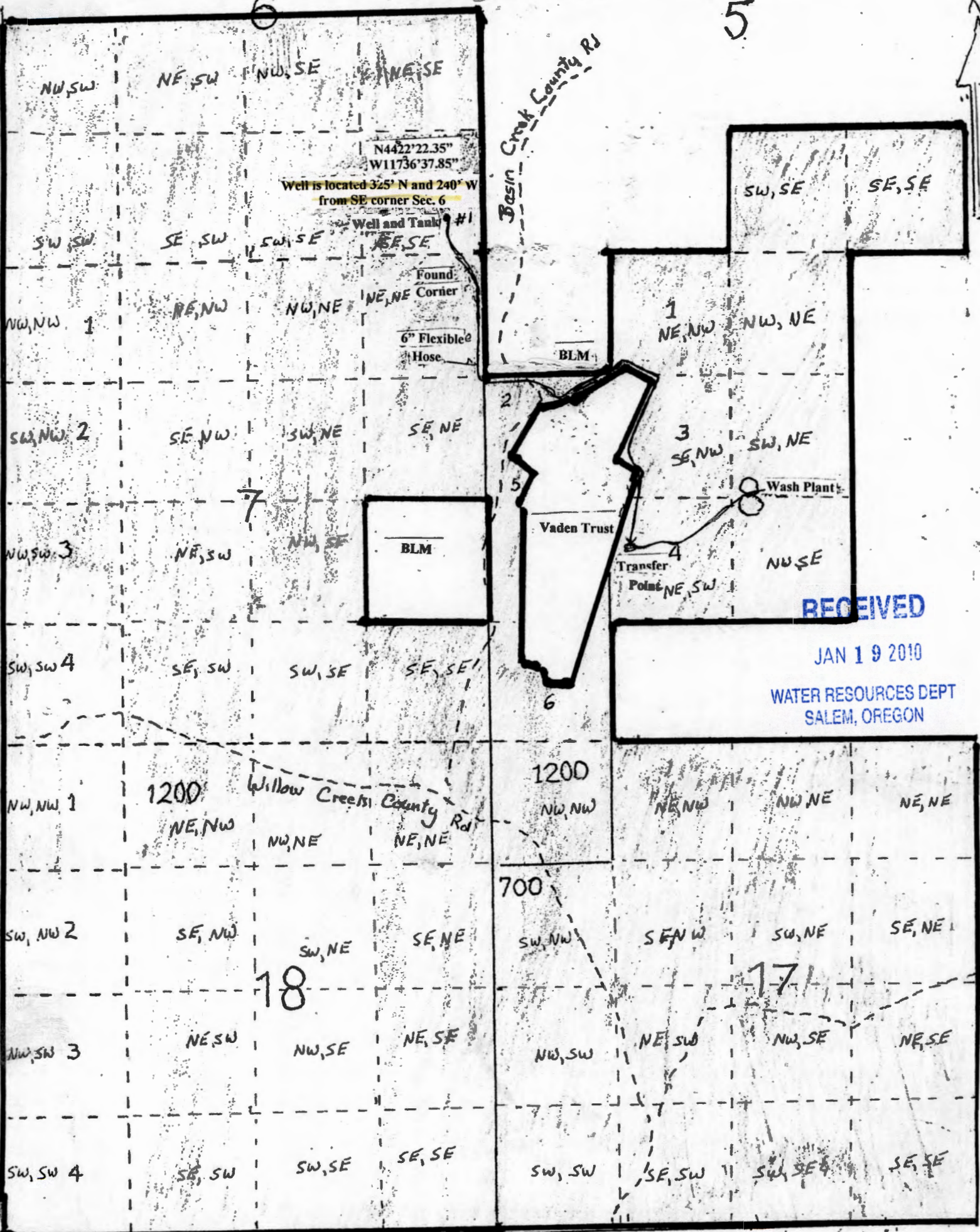
Beneficial Use Area is shaded

Maine County
T.14 S. R.42 E. W.M.

Map Scale 4"=1 mile

6

5



FO Checklist

Application #: G-17299 Applicant: THREE VALLEYS RANCH LLC

☒ Name and/or address has **changed or been assigned** ☐ Yes ☒ No

If new: _____

☒ Respond to **significant comments, issues, or disputes** related to the proposed use of water. ☒ N/A

☒ **Affected landowner(s)** have been notified ☒ N/A ☐ Yes ☐ No, send a letter to landowners before FO issuance.

☒ **Verify names/addresses** of affected landowners, and those who commented and/or paid \$10 fee. ☒ N/A

☒ Include fish screen form if ODFW requested **screening condition and rate ≤ 0.5 CFS** ☒ N/A ☐ Yes ☐ No

☒ PFO conclusions **require modification** due to typos, errors or omission of conditions ☐ Yes ☒ No

If so: _____

☒ Within North Umpqua settlement reach and issuing permit, **spreadsheet has been updated** ☒ N/A ☐ Yes

☒ **SWW** If GW and interference, copy form for Stahr. ☒ N/A

<u>Fees</u>	<u>Base Fee</u>	<u>Water Amount (Q)</u>
	\$300 / \$500	1 st CFS/AF _____
	\$700 / \$1000	_____ Addl @ _____
		_____ Addl @ _____
		Add'l ☐ POD/POA ☐ use + _____
	_____ +	_____ =
	(base)	(Q) (total exam fee)

EXAM FEE REQUIRED	<u>1250</u>	RECORDING FEE REQUIRED	\$250 / \$300 / <u>\$400</u>
EXAM FEE PAID	<u>-1250</u>	RECORDING FEE PAID	<u>-400</u>
STILL OWED	<u>0</u>	STILL OWED	<u>0</u>

☐ FO w/ draft permit; still needed:

- ☐ fees
- ☐ easement
- ☐ st water contract
- ☐ approved dam plans & specs
- ☐ land use approval
- ☐ well construction approval

☒ FO w/ permit # G-16822

☐ FO to deny
refund \$ _____

Name: Kerry Kavanagh Date: 11/29/2010

Peer Reviewer: Jeana Eastman 12/1/10

Application #: G-17299 **Applicant:** THREE VALLEYS RANCH LLC

— Was the application filed after 10/23/99? Y N (If not, add A date requirement)

POD characteristics identifies as **DEQ 303d**? Y / N NA If Y, was DEQ cc'd at IR? (If not, copy them on PFO)

Noticed on 4-27-10 Comment Deadline 4-27-10 Comments? (Y) / N DEQ-WG Comment eval?

IR requested add'l info Y / N

Is second gw review necessary? Y / N NA Complete? Y / N Add'l fees ☐ necessary ☐ collected ☐ needed

Has **Water Availability** changed from IR? *N/A* If source is Col R, use special w/a lang in RC

Have **conflicts** been addressed? Y / N / NA

___ POD/POU are correct per the map

Needed prior to permit: ☒ NA ☐ fees ☐ easement ☐ LU approval ☐ evidence of well repair ☐ storage contract ☐ plans/specs

Changes from IR determinations

Allowed Use/Rate/Season MINING / 1.0 CFS / YR Limit _____ Duty _____

- Small ≤ 0.1 CFS, ≤ 9.2 AF
- Medium > 0.1 CFS but < 0.5 CFS, > 9.2 AF but < 100 AF
- Large ≥ 0.5 CFS, ≥ 100 AF

14 SWW If GW and interference, copy form for Stahr.

Copy to Reg Manager E WM #9 CWRE _____ Agent Steve Jay

 Fees	<u>Base Fee</u>	<u>Water Amount (Q)</u>
--	-----------------	-------------------------

\$300 / \$500
\$700 / \$1000

1st CFS/AF

_____ Addl @ _____

Add'l ☐ POD/POA ☐ use

(base)

(Q)

(total exam fee)

EXAM FEE REQUIRED	<u>1250</u>	RECORDING FEE REQUIRED	\$250 / \$300 / <u>\$400</u>
EXAM FEE PAID	<u>- 1250</u>	RECORDING FEE PAID	<u>- 400</u>
STILL OWED	<u>Ø</u>	STILL OWED	<u>Ø</u>

Name: Kerry Kavanagh

Date: 9/2/2010

Peer Reviewer: Michele McAleer

The purpose of this checklist is to be used as a working document by Department staff to aid in the production of the related Initial Review, Proposed Final Order, or Final Order. It is not intended to be a complete record of all factors which were considered to produce the document, nor is it intended to serve any purpose other than that stated above. The related Initial Review, Proposed Final Order, or Final Order is intended to stand alone as the record of factors considered in its production.

Water Rights Section – Application Comment Evaluation Form

Application Number: G-17299 Three Valleys Ranch

Date: June 25, 2010

Caseworker: Kerry Kavanagh

Name of Commentor: Todd Hesse, Environmental Engineer, DEQ-Eastern Region, Water Quality Section

Description: On May 24, 2010, Todd Hesse sent an electronic mail message regarding this application for placer mining. Mr. Hesse noted that Three Valleys Ranch is applying for an individual Water Pollution Control Facilities (WPCF) permit for their placer mining operation with DEQ. Mr. Hesse explained that a WPCF permit does not allow for direct discharge of any process water to a stream. All process water will be treated and retained in settling ponds and any disposal of the process water will be through evaporation or infiltration. The intent of the settling ponds is to sufficiently treat the water (through settling) so that it can be reused in an effort to minimize the water demands of the project.

Evaluation of Comment:

Mr. Hesse's 5-24-10 supports the Department's permit condition: "Any effluents or return flows from use under this permit shall not interfere with other beneficial uses of water." See OAR 690-510-0020.

Finding for PFO: Continue with PFO, as previously indicated in the initial review.

Kerry Kavanagh

From: HESSE Todd [todd.hesse@state.or.us]
Sent: Monday, May 24, 2010 9:07 AM
To: KAVANAGH Kerry L
Subject: Three Valleys Ranch application # G-17299

Ms. Kavanagh,

I am following up on our conversation this morning. Three Valleys Ranch is applying for an individual Water Pollution Control Facilities (WPCF) permit for their placer mining operation. This type of permit does not allow for direct discharge of any process water to a stream. All process water will be treated and retained in settling ponds and any disposal of the process water will be through evaporation or infiltration. I neglected to mention that the intent of the settling ponds is to sufficiently treat the water (through settling) so that it can be reused in an effort to minimize the water demands of the project.

Please let me know if I can provide any additional information.

Thank you,

Todd Hesse, P.E.
Environmental Engineer
Water Quality Section
DEQ - Eastern Region
475 NE Bellevue Dr Suite 110
Bend, OR 97701
(541) 633-2026

RECEIVED

MAY 24 2010

WATER RESOURCES DEPT
SALEM, OREGON

5/24/2010

IR CHECKLIST

MALH 56

Application #: G-17299 Applicant: THREE VALLEYS RANCH LLC

Use(s): MINING Priority Date: January 25, 2010

3000 gallon tank near well
transfer pond @ transfer point)
plant ponds - primary process ponds
recovery ponds

☒ MU or QM ☒ NA ☐ will complete construction within 20 years
☐ Fujii reviewed recommendations

☒ Is the application complete? ☐ No ☐ Yes

☒ ORS 538 prohibits use ☒ No ☐ Yes If so, do not do an IR; return the application & fees to the applicant.

☒ DIV 9 ☐ NA ☒ will likely be available... ☐ will not likely be available... ☐ will, if properly conditioned...

☐ classify as surface water well NO has PSI with NO

(include basin map if true) well _____ is within ☐ 1N 3E 20, 21, 28, 29 ☐ GWLA ☐ CGWA _____

GW conditions _____

☒ DIVISION 33 ☒ NA ☐ No ☐ above Bonneville, and ☐ not allowed 4/15 - 9/30
☐ below Bonneville
☐ statewide

☒ SW Availability ☒ NA ☐ 80% live ☐ 50% storage _____ WID: _____

☐ Use DWF's nonstandard W/A memo if the source is a Drews Reservoir tributary; the Snake River; the Columbia River; the North Umpqua River below Rock Creek; or within the drainages of the Lost River, Chehalem Creek, or Champoeg Creek (including Mission & Case Creeks)

☒ POU conflict ☐ NA ☒ No ☐ No, different sources ☐ No, make up a deficiency in rate ☐ No, existing not at max. rate

☐ Yes (APP G-14227)
Permit G-13450 (5 wells - none yet constructed) - same aquifer

☒ Use is supplemental, checked for primary rights w/ diff source ☒ NA ☐ Yes limits _____

OAR 690-510-0020 - mining - only on condition that any effluents/return flows shall not interfere with other beneficial uses.
☒ Use is ☒ allowed ☐ not allowed ☐ limited ☒ OAR ☐ Compact 690-510-0010 (1)

☒ Requested Use/Rate/Season MINING / 1.0 CFS / YR

Allowed Use/Rate/Season MINING / 1.0 CFS / YR Limit _____ Duty _____

☒ Land use ☒ approved ☐ not approved ☐ being pursued ☐ county notified ☐ NA

☒ Storage contract ☒ NA ☐ BOR ☐ Doug Co ☐ Corp of Eng ☐ needed ☐ obtained _____

☒ Authorized agent specified ☒ NA ☐ needed ☒ Yes Steve Jay

☒ Conditions: LARGE

☐ Small ≤ 0.1 CFS, ≤ 9.2 AF, ☐ Medium > 0.1 and < 0.5 CFS, > 9.2 and < 100 AF, ☒ Large ≥ 0.5 CFS, ≥ 100 AF

Use at least "Medium" when the source is Siltcoos Lake, Sandy Basin GW, or stored water with a contract.

Use "Large" for temp control (including NU), Tenmile Lake, or if applicant is a government entity

Use "Large-7i" if GW recommends 7i

Use "Large with TFM" for HC exceptions, IR permits in South Salem Hills or IR over 10 Ac. in Stage Gulch CGWA

☒ Stream is withdrawn ☒ NA ☐ No ☐ Yes, allows use/season _____

☒ SWW ☒ NA ☐ above ☐ within _____ (If GW and interference, copy form for Stahr.)

Application #: G-17299 Applicant: THREE VALLEYS RANCH LLC

☒ Use is within a **high priority area for streamflow restoration** ☒ NA ☐ No ☐ Yes

☒ Letter format ☒ good ☐ limited ☐ bad ☐ bad w/ rate reduction opportunity ☐ bad w/ HC opportunity

☒ POD is within **North Umpqua settlement reach** and the spreadsheet was updated ☒ NA ☐ Yes

☒ Forms ☒ NA ☐ DIV 33 ☐ basin map ☐ HC except ☐ spring description other _____

☒ Copy to ☐ NWR ☐ WM # 9 ☐ ODFW ☐ CRIFC
☐ NCR ☐ agent ☐ DEQ ☐ US Fish & Wildlife
☒ ER ☐ CWRE ☐ DOA ☐ NW Planning Council
☐ SWR ☐ State Parks ☐ CTUIR

☐ DOA Food Safety Division
(bottled water)

☐ city _____
(w/in 5-mile muni wells)

☒ Prior to permit, applicant must submit ☒ NA ☐ storage contract ☐ easement ☐ plans/specs ☐ evidence of well repair

☒ App and map meet **min. requirements** ☒ Yes ☐ No _____
(If not, send IR certified)

☒ Scanned images exist for application form and map

☒ Fees 1.0 CFS
_____ AF

Base 1000

Up to 1 CFS 250

_____ Add'l CFS _____

Up to 20 AF _____

_____ Add'l AF @ \$1 _____

Add'l _____ POD/POA _____ use + _____

Exam Fee Required = 1250

Exam Fee Paid 1250

Still Owed 0

• Paid \$400 permit recording fee.

Name: Kerry Kavanagh

Date: 2/26/2010

Peer Reviewer: Jeanne Eastman

The purpose of this checklist is to be used as a working document by Department staff to aid in the production of the related Initial Review, Proposed Final Order, or Final Order. It is not intended to be a complete record of all factors which were considered to produce the document, nor is it intended to serve any purpose other than that stated above. The related Initial Review, Proposed Final Order, or Final Order is intended to stand alone as the record of factors considered in its production.

Revised 8/13/09

Point of Diversion Characteristics

Right:	App:G 17299 *
Name:	THREE VALLEYS RANCH LLC

TRSQQ: 14.00S-42.00E-06-SESE Digital Map of TRSQQ

County: Malheur

Basin: Malheur

WM District: 9

WM Region: E

Withdrawn Area:

WAB: BASIN CR > WILLOW CR - AT MOUTH (31011917)

Priority WAB:

Rule 4D:

Groundwater Restricted Area:

Scenic Water Way:

Division 33: UPPER COLUMBIA

Water Quality Limited:

690-510-0010 Classifications

(1) The maximum economic development of this state, the attainment of the highest and best use of the waters of the Malheur Basin, and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, municipal, irrigation, power development, industrial, mining, recreation, wildlife, and fish life uses, and the waters of the Malheur Basin are hereby so classified with the following exceptions:

(a) The maximum economic development of this state, the attainment of the highest and best use of the waters of the natural lakes of the Malheur Basin, and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, irrigation of lawn or noncommercial garden not to exceed one-half acre in area, power development not to exceed 7 1/2 theoretical horsepower, recreation, wildlife, and fish life uses, and the waters of the natural lakes of the Malheur Basin are hereby so classified.

(b) Stored water may be used for any beneficial purpose.

(c) Storage, of up to 1000 acre-feet of water in the Malheur Basin, for domestic or livestock purposes authorized under water rights with priority dates after November 6, 1992, shall be exempt from regulation for storage of water reserved under OAR 690-510-0110 through 0120.

(d) Storage of water is a beneficial use in the Malheur Basin.

(2) The maximum economic development of this state, the attainment of the highest and best use of 1,454,000 acre-feet annually of natural flows of the Snake River, and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, municipal, and irrigation uses, and the 1,454,000 acre-feet annually of natural flows of the Snake River are hereby so classified.

(3) Structures or works for the utilization of the waters in accordance with the aforementioned classifications are also declared to be prejudicial to the public interest unless planned, constructed, and operated in conformity with applicable provisions of ORS 536.310 and any such structures or works are further declared to be prejudicial to the public interest which do not give cognizance to the multiple-purpose concept.

690-510-0020 Water Quality

Rights to use of water for industrial or **mining** purposes granted by any state agency shall be issued **only on condition that any effluents or return flows from such uses shall not interfere with other beneficial uses of water.**

WATER RESOURCES DEPARTMENT

DIVISION 510 MALHEUR BASIN PROGRAM

[NOTE: The Malheur and Owyhee Basins is delineated on State Water Resources Board Map 10-11-6, available from the agency.]

690-510-0000 Classifications

(1) The maximum economic development of this state, the attainment of the highest and best use of the waters of the Malheur-Owyhee Basins and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, municipal, irrigation, power development, industrial, mining, recreation, wildlife, fish life, pollution abatement uses, and the waters of the Malheur-Owyhee Basins are hereby so classified with the following exceptions:

(a) The maximum economic development of this state, the attainment of the highest and best use of the waters of the mainstem of the South Fork Owyhee River from the Oregon-Idaho border to Three Forks (the confluence of the North, Middle and South Forks Owyhee River), and the main stem Owyhee River from Crooked Creek (river mile 118) to the mouth of Birch Creek (river mile 76), and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, municipal, irrigation, industrial, mining, recreation, wildlife, and fish life uses and the aforementioned waters are hereby so classified;

(b) The maximum economic development of this state and the attainment of the highest and best use of the waters of the natural lakes of the Malheur-Owyhee Basins, and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic livestock, irrigation of lawn or noncommercial garden not to exceed one-half acre in area, power development not to exceed 7-1/2 theoretical horsepower, recreation, wildlife, and fish life uses and the waters of the natural lakes of the Malheur-Owyhee Basins are hereby so classified.

(2) The maximum economic development of this state, the attainment of the highest and best use of 1,454,000 acre-feet annually of natural flows of the Snake River, and the attainment of an integrated and coordinated program for the benefit of the state as a whole will be furthered through utilization of the aforementioned waters only for domestic, livestock, municipal, and irrigation uses, and the 1,454,000 acre-feet annually of natural flows of the Snake River are hereby so classified.

(3) Structures or works for the utilization of the waters in accordance with the aforementioned classifications are also declared to be prejudicial to the public interest unless planned, constructed, and operated in conformity with applicable provisions of ORS 536.310 and any such structures or works are further declared to be prejudicial to the public interest which do not give cognizance to the multiple-purpose concept.

App:G 17299 *

▶ Platcard

▶ Conflict Report

▶ POD Characteristics

▼ Water Availability

▼ BASIN CR > WILLOW CR - AT MOUTH

▶ POD: 1

▶ IR Checklist

▶ Digital Map (Applications are not mapped, use POD Locations instead)

Contact Information

▼ Current contact information

AGENT:
 ▶ STEVE JAY
 PO BOX 5075
 BRIDGEPORT, OR 97819

APPLICANT:
 ▶ THREE VALLEYS RANCH LLC
 PO BOX 5075
 BRIDGEPORT, OR 97819

CONTACT - PRIMARY:
 ▶ JANET ALEXANDER
 PO BOX 153
 UNITY, OR 97884

Water Right Information

Status: Non-Cancelled
 County: Malheur
 File Folder Location: Salem

Documents View all scanned documents

▼ Application: G 17299

▶ Received: 1/25/2010

Application Workflow

Action	Date	Result	Completed By
Application Filed	1/25/2010		
Ground Water Review	2/2/2010		MIKEZWART

▶ Unable to view right in new web mapping because this water right is not currer

Point(s) of Diversion

▼ POD 1 - A WELL > CASH GULCH

▼ Description

▶ Name: WELL 1 (MALH 056/L95124)
 ▶ T-R-S-QQ: 14.00S-42.00E-6-SE SE
 ▶ Location Description: 325 FEET NORTH AND 240 FEET WEST FROM SE CORNER, SECTION 6

▼ POD Rate

Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)
▶ 1.0	1.0		

▼ MINING (Primary)

Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Remark
▶ 1/25/2010	1.0	1.0					1/1	12/31	

Place(s) of Use Add TRS grouping

▼ Use - MINING (Primary); Priority Date: 1/25/2010

T-R-S	QQ	DLC	Gov't Lot	Taxlot	Acres	Status	Inchoate Info	Remarks
14.00S-42.00E-5	SW SE					NC		
14.00S-42.00E-5	SE SE					NC		
14.00S-42.00E-6	NE SW					NC		
14.00S-42.00E-6	NW SW					NC		
▶ 14.00S-42.00E-6	SW SW					NC		
14.00S-42.00E-6	SE SW					NC		
14.00S-42.00E-6	NE SE					NC		
14.00S-42.00E-6	NW SE					NC		
14.00S-42.00E-6	SW SE					NC		
14.00S-42.00E-6	SE SE					NC		

14.00S-42.00E-7	NE NE					NC		
14.00S-42.00E-7	NW NE					NC		
14.00S-42.00E-7	SW NE					NC		
14.00S-42.00E-7	SE NE					NC		
14.00S-42.00E-7	NE NW					NC		
14.00S-42.00E-7	NW NW					NC		
14.00S-42.00E-7	SW NW					NC		
14.00S-42.00E-7	SE NW					NC		
14.00S-42.00E-7	NE SW					NC		
14.00S-42.00E-7	NW SW					NC		
14.00S-42.00E-7	SW SW					NC		
14.00S-42.00E-7	SE SW					NC		
14.00S-42.00E-7	NW SE					NC		
14.00S-42.00E-7	SW SE					NC		
14.00S-42.00E-7	SE SE					NC		
14.00S-42.00E-8	NW NE					NC		
14.00S-42.00E-8	SW NE					NC		
14.00S-42.00E-8	NE NW					NC		
14.00S-42.00E-8	SW NW					NC		
14.00S-42.00E-8	SE NW					NC		
14.00S-42.00E-8	NE SW					NC		
14.00S-42.00E-8	NW SW					NC		
14.00S-42.00E-8	SW SW					NC		
14.00S-42.00E-8	NW SE					NC		
14.00S-42.00E-17	NE NE					NC		
14.00S-42.00E-17	NW NE					NC		
14.00S-42.00E-17	SW NE					NC		
14.00S-42.00E-17	SE NE					NC		
14.00S-42.00E-17	NE NW					NC		
14.00S-42.00E-17	NW NW					NC		
14.00S-42.00E-17	SW NW					NC		
14.00S-42.00E-17	SE NW					NC		
14.00S-42.00E-17	NE SW					NC		
14.00S-42.00E-17	NW SW					NC		
14.00S-42.00E-17	SW SW					NC		
14.00S-42.00E-17	SE SW					NC		
14.00S-42.00E-17	NE SE					NC		
14.00S-42.00E-17	NW SE					NC		
14.00S-42.00E-17	SW SE					NC		
14.00S-42.00E-17	SE SE					NC		
14.00S-42.00E-18	NE NE					NC		
14.00S-42.00E-18	NW NE					NC		

14.00S-42.00E-18	SW NE					NC		
14.00S-42.00E-18	SE NE					NC		
14.00S-42.00E-18	NE NW					NC		
14.00S-42.00E-18	NW NW					NC		
14.00S-42.00E-18	SW NW					NC		
14.00S-42.00E-18	SE NW					NC		
14.00S-42.00E-18	NE SW					NC		
14.00S-42.00E-18	NW SW					NC		
14.00S-42.00E-18	SW SW					NC		
14.00S-42.00E-18	SE SW					NC		
14.00S-42.00E-18	NE SE					NC		
14.00S-42.00E-18	NW SE					NC		
14.00S-42.00E-18	SW SE					NC		
14.00S-42.00E-18	SE SE					NC		
Sum of Acres: 0.0								

Water Right Genealogy

....No genealogy records available for this water right, try the family link below instead.

- [View Water Rights in same Family](#)
- [Help understanding and working with the Water Rights Information System](#)
- [Report Errors with Water Right Data](#)
- [Return to WRIS Query](#)

Place of Use Conflict Report

The following rights have acreage in the same quarter-quarter as App:G 17299 *

Right	Name	Decree	App	Permit	Cert	Priority	Status	Use	T-R-S-QQ	DLC	Gov't Lot	Acrea
<u>CERT:1546 OR *</u>	W A ANDERS	WILLOW CREEK, MALHEUR COUNTY			1546	12/31/1903	NC	I*	14.00S-42.00E-17-NWSE			7.0000
								I*	14.00S-42.00E-17-NESW			5.0000
<u>CERT:1545 OR *</u>	ALBERT ANDERS	WILLOW CREEK, MALHEUR COUNTY			1545	12/31/1904	NC	MI	14.00S-42.00E-17-			
								MI	14.00S-42.00E-17-			
								MI	14.00S-42.00E-17-			
								MI	14.00S-42.00E-17-			
								MI	14.00S-42.00E-17-			
								MI	14.00S-42.00E-17-			
								MI	14.00S-42.00E-17-			
								MI	14.00S-42.00E-17-			
								MI	14.00S-42.00E-17-			
								MI	14.00S-42.00E-17-			
								MI	14.00S-42.00E-17-			
								MI	14.00S-42.00E-17-			
								MI	14.00S-42.00E-17-			
								MI	14.00S-42.00E-17-			
								MI	14.00S-42.00E-17-			
<u>CERT:39213 RR *</u>	JOHN C BOSWELL	WILLOW CREEK, MALHEUR COUNTY			39213	12/31/1869	NC	MI	14.00S-42.00E-08-NENW			
								MI	14.00S-42.00E-08-SENW			
								MI	14.00S-42.00E-08-SWNW			
								MI	14.00S-42.00E-08-NESW			
								MI	14.00S-42.00E-08-NWSW			
<u>PERMIT:G 13450 *</u>	KENNETH CASPER		G-14227	G-13450		12/21/1995	NC	MI	14.00S-42.00E-05-SWSE			
								MI	14.00S-42.00E-06-NESE			

							MI	14.00S-42.00E-06-SESE			
							MI	14.00S-42.00E-08-NENW			
							MI	14.00S-42.00E-08-SENW			
							MI	14.00S-42.00E-08-NESW			
<u>CERT:3228 OR *</u>	MILTON W YEOMAN	S-5600	S-3412	3228	6/23/1917	NC	IR	14.00S-42.00E-17-NWNW		5.0000	
<u>CERT:36297 OR *</u>	HORTEN/PHILIP WORSHAM	S-30706	S-24217	36297	4/27/1956	NC	IR	14.00S-42.00E-07-SESE		4.0000	
							IR	14.00S-42.00E-08-SWNW		78	0.1000
							IR	14.00S-42.00E-08-NESW		6	3.4000
							IR	14.00S-42.00E-08-NESW		5	8.0000
							IR	14.00S-42.00E-08-SWSW		78	0.6000
							IR	14.00S-42.00E-18-NENE			2.2000
							IR	14.00S-42.00E-08-NWSW		78	2.1000
<u>CERT:48282 OR *</u>	PHILIP/HORTEN WORSHAM	S-49233	S-37903	48282	8/2/1973	NC	IR	14.00S-42.00E-17-NWSE			1.8000
							IR	14.00S-42.00E-17-NESW			1.0000
							IS	14.00S-42.00E-17-NWSE			2.4000
							IS	14.00S-42.00E-17-NESW			4.2000
<u>CERT:48283 OR *</u>	HORTEN/PHILIP WORSHAM	S-49234	S-37904	48283	8/2/1973	NC	IR	14.00S-42.00E-08-SWNW			1.9000
							IR	14.00S-42.00E-08-SWNW		2	2.7000

STATE OF OREGON

COUNTY OF MALHEUR

CERTIFICATE OF WATER RIGHT

This Is to Certify, That JOHN C. BOSWELL, KATHERINE B. LAKE, and
MERLE D. SKINNER

of 5603 Silverton Road NE, Salem, State of Oregon, has a right
to the use of the waters of Mormon Basin Creek

a tributary of Willow Creek for the purpose of
mining

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Malheur County, and the said decree entered of record at Salem, in the Order Record of
the STATE ENGINEER, in Volume 3, at page 258; that the priority of the right thereby
confirmed dates from 1869

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed
10.0 cubic feet per second

The point of diversion is located in the

A description of the place of use under the right, and to which such right is appurtenant, is as
follows: Mining along Mormon Basin Creek in Malheur County, Oregon, within the
boundaries of mineral claims as follows: Lot No. 78, Lot No. 86, Lot No. 81,
Lot No. 80, and Lot No. 72 all being within:

NE $\frac{1}{4}$ SE $\frac{1}{4}$
SW $\frac{1}{4}$ SE $\frac{1}{4}$
SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 32
T. 13 S., R. 42 E., W. M.

NE $\frac{1}{4}$
E $\frac{1}{2}$ SW $\frac{1}{4}$
NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 5
NE $\frac{1}{4}$ NW $\frac{1}{4}$
S $\frac{1}{2}$ NW $\frac{1}{4}$
NE $\frac{1}{4}$ SW $\frac{1}{4}$
W $\frac{1}{2}$ SW $\frac{1}{4}$
Section 8
T. 14 S., R. 42 E., W. M.

Certificate of water right issued to Uncle Sam Mining & Milling Company and re-
corded at page 1621, Volume 2, State Record of Water Right Certificates, confirms
the right to the use of 12.5 cubic feet per second of water for mining. Sub-
sequently, the right to the use of 2.5 cubic feet per second of water for mining
was canceled by order of the State Engineer entered January 26, 1973. This cer-
tificate is issued to confirm the remaining right to the use of water for mining
and supersedes the certificate heretofore issued to Uncle Sam Mining & Milling
Company.

And said right shall be subject to all other conditions and limitations contained in said decree.
The right to the use of the water for the purposes aforesaid is restricted to the lands or place
of use herein described.

WITNESS the signature of the State Engineer, affixed

this date May 31, 1973.

CHRIS L. WICKLER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 31, page 39213

STATE OF OREGON

WATER DIVISION NO. 2 COUNTY OF MALHEUR

CERTIFICATE OF WATER RIGHT

(For Rights which have been confirmed by the Court.)

This is to Certify, That ALBERT ANDERS (C. W. Anders, P. A. Hanson,
of and Fred Hartop, joint owners) Malheur State of Oregon has a right to the use of
the waters of Morman Basin Creek, a tributary of Willow Creek

for the purpose of mining

and that said right has been confirmed by decree of the Circuit Court of the State of
Oregon for Malheur County; and the said decree entered of record at Salem,
in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 3, at
page 258; that the priority of the right hereby confirmed dates from 1904;

that the amount of water to which such right is entitled and hereby confirmed for the
purposes aforesaid, is limited to an amount actually beneficially used for said pur-
poses, and shall not exceed 1.00 second foot.

A description of the lands irrigated under such right, and to which the water
hereby confirmed is appurtenant, or, if for other purposes, the place where such water
is put to beneficial use, is as follows: Placer mining on NW¹/₄ of Section 17,
Tp. 14 S. R. 42 E. W. M., in Malheur County, Oregon.

The right to the use of the water aforesaid hereby confirmed is restricted to the
lands or place of use herein described.

WITNESS the seal and signature of the State
Water Board
affixed this 11th day
of June, 1917.

STATE WATER BOARD

(SEAL OF STATE WATER BOARD)

By JOHN H. LEWIS
State Engineer, President

Attest:

M. F. NERS

Secretary

Recorded in State Record of Water Right Certificates, Volume 3, page 1545.

STATE OF OREGON
COUNTY OF MALHEUR

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

KENNETH CASPER
812 7TH ST. S
NAMPA, ID 83651

PHONE: (208)466-8333

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

APPLICATION FILE NUMBER: G-14227

SOURCE OF WATER: FOUR WELLS, IN THE WILLOW CREEK BASIN

PURPOSE OR USE: MINING

MAXIMUM RATE: 1.0 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: DECEMBER 21, 1995

POINT OF DIVERSION LOCATION: NW 1/4 SE 1/4, SECTION 29, SW 1/4 SE 1/4, SECTION 31, SE 1/4 NE 1/4, SECTION 32, T13S, R42E, W.M., AND NW 1/4 NW 1/4, SECTION 8, T14S, R42E, W.M.; WELL 1 - 6800 FEET NORTH AND 3450 FEET EAST, WELL 2 - 3500 FEET NORTH AND 4500 FEET EAST, AND WELL 3 - 300 FEET NORTH AND 2550 FEET WEST, ALL FROM THE SE CORNER OF SECTION 31; WELL 4 - 500 FEET SOUTH AND 5000 FEET WEST FROM NE CORNER OF SECTION 8

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 NE 1/4
NW 1/4 NE 1/4
SW 1/4 NE 1/4
SE 1/4 NE 1/4
NE 1/4 SE 1/4
NW 1/4 SE 1/4
SW 1/4 SE 1/4
SE 1/4 SE 1/4
SECTION 29

ALL
SECTION 31

NE 1/4 NE 1/4
NW 1/4 NE 1/4
SW 1/4 NE 1/4
SE 1/4 NE 1/4
NE 1/4 SE 1/4

SW 1/4 SW 1/4
SE 1/4 SW 1/4
NE 1/4 SE 1/4
NW 1/4 SE 1/4
SW 1/4 SE 1/4
SECTION 5

NE 1/4 NE 1/4
SE 1/4 NE 1/4
NE 1/4 SE 1/4
SE 1/4 SE 1/4
SECTION 6

NE 1/4 SE 1/4
SECTION 7

NE 1/4 NW 1/4
NW 1/4 NW 1/4
SE 1/4 NW 1/4
NE 1/4 SW 1/4
SECTION 8

TOWNSHIP 14 SOUTH, RANGE 42 EAST, W.M.

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.
- B. The permittee 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.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may

Application G-14227 Water Resources Department

PERMIT G-13450

require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

If substantial interference with a senior water right occurs due to withdrawal 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.

Groundwater shall not be produced from any unconfined alluvial aquifer.

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

Any effluents or return flows from use under this permit shall not interfere with other beneficial uses of water.

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

STANDARD CONDITIONS

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.

issuance. Complete application of water to the use shall be made on or before October 1, 2002. 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 August 12, 1998

Martha O. Pagel for

Martha O. Pagel, Director
Water Resources Department

Application G-14227
Basin 10
RWK

Water Resources Department
Volume 2 BASIN CR & MISC
MGMT.CODES 7BG 7BR 7IG 7IR

PERMIT G-13450
District 9

RECEIVED

OCT - 9 1997
WATER RESOURCES DIV
SALEM, OREGON

REVISED APPLICATION MAP

WELL #1-4 LOCATIONS

WATER USE PERMIT APPLICATION #G-14227

TOWNSHIPS 13 & 14 SOUTH, RANGE 12 EAST
MALHEUR COUNTY, OREGON

present #1: G13450

R42E

N



0 1320' 2640'
SCALE: 4" = 1 MILE

WELL #3

WELL #3 IS LOCATED 380 FEET NORTH
AND 2300 FEET WEST FROM THE NE 1/4 CORNER OF
SECTION 31, TOWNSHIP 13 SOUTH, RANGE 12 EAST
WITHIN THE BUREAU SECTION 31

T13S

T14S

WELL #1

WELL #1 IS LOCATED 600 FEET NORTH
AND 3400 FEET WEST FROM THE NE 1/4 CORNER OF
SECTION 29, TOWNSHIP 13 SOUTH, RANGE 12 EAST
WITHIN THE BUREAU SECTION 29

WELL #2

WELL #2 IS LOCATED 800 FEET NORTH
AND 1300 FEET EAST FROM THE NE 1/4 CORNER OF
SECTION 31, TOWNSHIP 13 SOUTH, RANGE 12 EAST
WITHIN THE BUREAU SECTION 31

T13S

T14S

WELL #4

WELL #4 IS LOCATED 300 FEET NORTH
AND 500 FEET WEST FROM THE NE 1/4 CORNER OF
SECTION 8, TOWNSHIP 14 SOUTH, RANGE 12 EAST
WITHIN THE BUREAU SECTION 8

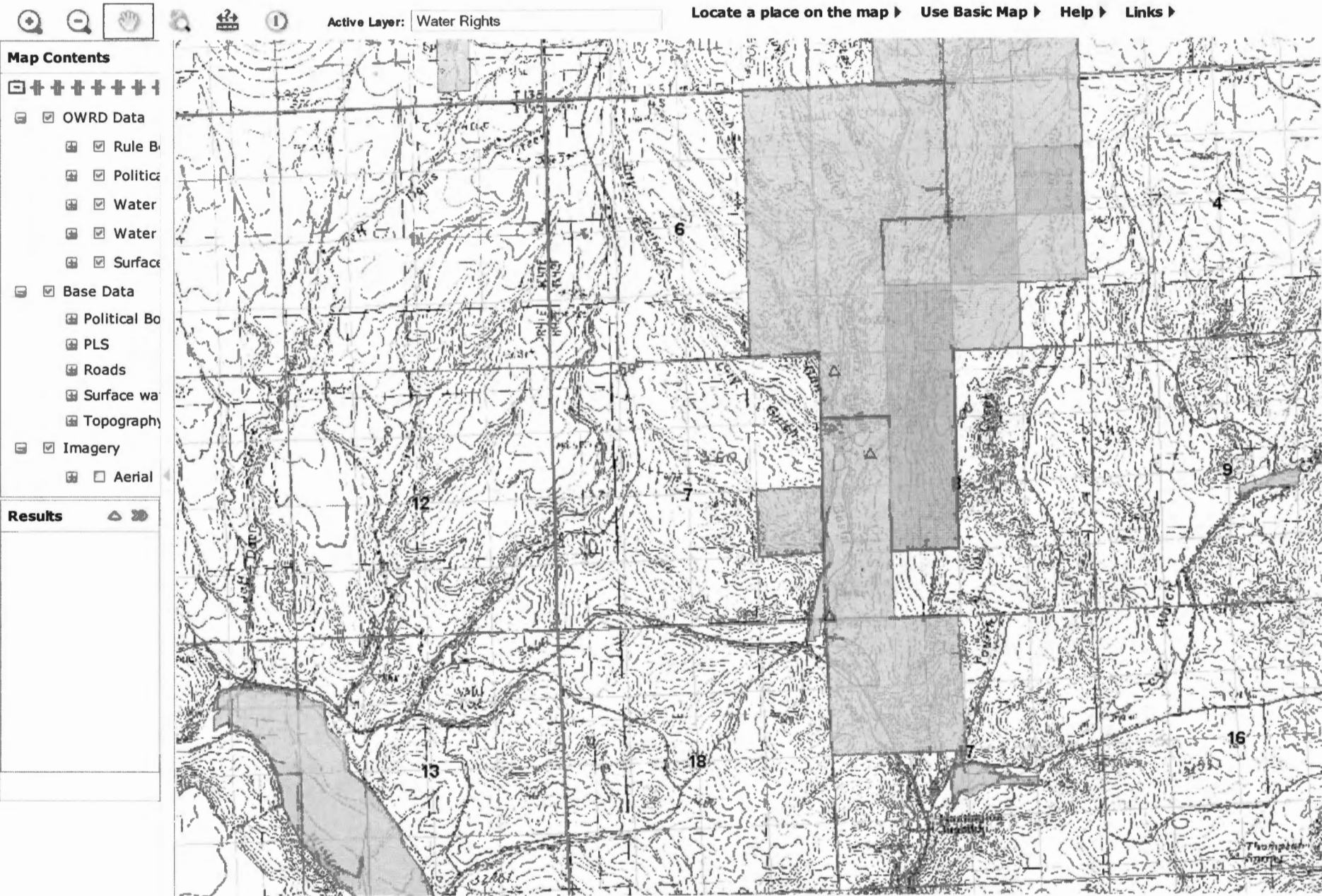
AREAS WHERE WATER IS TO BE USED
28.1. 10-1. 10-ACRE UNPATENTED PLACER MINING CLAIMS LOCATED IN
LOCATED IN
SECTION 28 & 29 T13S R42E
ALL SECTION 31 T13S R42E AN
SECTION 32 T13S R42E
& W/IN SECTION 3 T14S R42E AN
SECTION 8 T14S R42E AN
NEW SECTION 7 T14S R42E
ANNA, TOWN & NEW SECTION 9 T14S R42E
APPROXIMATE CLAIM BOUNDARIES INDICATED BY LIGHT BLUE DASHED
LINES & CLAIM NAMES INDICATED BY LIGHT BLUE TEXT
** INDICATES ENHANCED AREAS OF USE NOT PREVIOUSLY IDENTIFIED

APPLICANT: KENNETH CASPER
MAILING ADDRESS: 912 7th St S, BPPA, ID 83851
REVISED OCTOBER 8, 1997

NOTE: ALL SECTIONS DEPICTED AS REGULAR SECTIONS
FOR ILLUSTRATIVE PURPOSES ONLY
NOT BASED UPON OFFICIAL SURVEY

R42E

Oregon Water Resources Web Mapping Application (beta)



Map interface showing a grayscale topographic map with a grid overlay. The map displays terrain features, including a prominent river system and a large body of water on the right side. The grid is labeled with numbers 1 through 18, indicating specific locations or points of interest.

Map Contents:

- ☐ OWRD Data
 - ☒ Rule B
 - ☒ Political
 - ☐ Water
 - ☒ Water
 - ☒ Surface
- ☒ Base Data
 - ☐ Political Bo
 - ☐ PLS
 - ☐ Roads
 - ☐ Surface wa
 - ☐ Topography
- ☒ Imagery
 - ☒ Aerial

Results:

Active Layer: Surface Water

Locate a place on the map ▶ Use Basic Map ▶ Help ▶ Links ▶

Active Layer: Surface Water

Locate a place on the map ▶ Use Basic Map ▶ Help ▶ Links ▶

Map Contents

- OWRD Data
 - ☒ Rule B
 - ☒ Political
 - ☐ Water
 - ☒ Water
 - ☒ Surface
- Base Data
 - ☒ Political Bo
 - ☒ PLS
 - ☒ Roads
 - ☒ Surface wa
 - ☒ Topography
- Imagery
 - ☒ Aerial

Results

Search results area.

Standard Application Completeness Checklist

Minimum Requirements (OAR 690-310-0040)(ORS 537.400)

This is the checklist used by WRD staff

DIST 8
ASSIST

JAN ALEXANDER

Application G 17299

County MALH.

Priority Date 1-25-2011

Township 14 S Range 42 E Section 5, 6, 7, 8, 17, 18

Amount ONE CFS Use MINING Watermaster Dist. # 9

Caseworker Assigned

☐ Brook Geffen ☐ Jeana Eastman ☐ Joel Plahn ☒ Kerry Kavanagh ☐ Michele McAleer

☒ Applicant/Organization Name, Mailing Address, and Telephone Number.

STEVE JAY REGISTERED AGENT

☒ Source of water. If stored water, is the stored water component filed out, including a non-expired agreement for stored water must be included. (ORS 537.400) **NOTE: A surface water application cannot be filed at the same time as a Reservoir or Alt Reservoir if it will be for the use of the stored water under the PROPOSED Reservoir application (E2).**

☒ The proposed source is or is not (circle one) withdrawn from further appropriation. If it is withdrawn under ORS 538, then return application and fees. If it is withdrawn by other means, accept the application and a negative IR will be issued.

☒ Property ownership indicated.

STATES EASEMENTS, ETC., DO EXIST

☒ If applicant does not own all the land, the affected landowners name and mailing address must be listed.

☐ If applicant does not own all the land, signed statement declaring the existence of either written authorization or an easement permitting access to land crossed by the proposed ditch canal or other work must be submitted.

☒ Groundwater development section (Page 3 and 4, Section B) or a well log report. YES!

☒ Proposed use of water. If supplemental, list primary acreage.

☒ Enclosed Supplemental Form for each proposed use.

☐ Form I (Irrigation)

☐ Form M (Municipal or Quasi-Municipal)

☒ Form R (Mining)

☐ Form Q (Commercial or Industrial)

☐ Spring Description Sheet

☒ Amount of water from each source in gallons per minute (GPM), cubic feet per second (CFS), or acre feet (AF)

☒ Period of use

☒ Water management section (Please estimate if the water system has not been designed)

☒ Resource Protection Section (Page 6 Section 5).

☒ Project schedule (If system is already completed, indicate "existing").

○ For Standard reservoir applications proposing to store more than 9.2 acre feet, and a dam height of more than 10 feet, preliminary plans and specifications for dam and impoundment are required. In addition, the map must be prepared by a CWRE.

○ All applicants or the applicant's authorized agent (include title or authority if for an organization or corporation) must sign the application in ink. *Signature must be an original "wet" signature. Copies cannot be accepted.*
SIGNED BY AGENT

○ You must include a Legal description of all the properties involved where water is diverted, crossed, and used. The Legal description includes a metes and bounds, or other government survey description. A copy of the deed, land sales contract or title insurance policy can provide this information, or you may submit a lot book report prepared by a title company. The Department will not accept a copy of the tax bill.

○ A completed Land-Use Form or receipt signed and dated by the appropriate planning department officials. *Please be certain that the Land-Use form lists all lands involved and all uses proposed. Date of signature must be within the past 12 months. Signature must be an original "wet" signature. Copies cannot be accepted.*
LAWNS - USE GOOD
BY JOHN BEAL MALTBY

○ The map must meet all the minimum requirements of OAR 690310-0050.

- Township, Range, Section
- Location of main canals, ditches, pipelines or flumes (if POA/POD is outside of POU)
- Place of use, 1/4, 1/4's and tax lot clearly identified
- Even map scale not less than 4" = 1 mile (example: 1" = 100 ft, 1" = 200 ft, etc.) 1320
- Location of each diversion point, well or dam by reference to a recognized public land survey corner. Multiple wells shall be uniquely labeled, and identified on well logs if existing.
- Reference corner on map
- North Directional Symbol
- Number of acres per 1/4, 1/4, if for irrigation, nursery, or agriculture MINING
- Other

BY PHONE 1-20-2010 WITH JAM ALEXANDER
541-446-3413
REVIEWED ALEC & REQUIRED FEES

○ Fees: Amount of water requested ONE CFS

Base Fee \$ 1000

1st CFS/AF 250

Addn'l CFS/AF @

Addn'l POD @

Additional Use @

Total Exam Fees \$ 1250

Total Paid \$ 1650

Amount Due \$

Amount Returned \$

Reviewed by: H PUL

Date: JAN 2010

ORIGINAL
ONE CHECK
\$1000
CHK # 2
\$650
1-25-2010
ALEC FEES PAID

Water Right Conditions Tracking Slip

Groundwater/Hydrology Section

FILE # G-17299
ROUTED TO: Water Rights
TOWNSHIP/
RANGE-SECTION: 14S/42E-6 dd

CONDITIONS ATTACHED? ☐ yes ☒ no

REMARKS OR FURTHER INSTRUCTIONS:

Reviewer: Mike Zwart

PUBLIC INTEREST REVIEW FOR GROUND WATER APPLICATIONS

TO: Water Rights Section Date February 2, 2010

FROM: Ground Water/Hydrology Section Michael Zwart
Reviewer's Name

SUBJECT: Application G- 17299 Supersedes review of _____
Date of Review(s)

PUBLIC INTEREST PRESUMPTION; GROUNDWATER

OAR 690-310-130 (1) *The Department shall presume that a proposed groundwater use will ensure the preservation of the public welfare, safety and health as described in ORS 537.525. Department staff review ground water applications under OAR 690-310-140 to determine whether the presumption is established. OAR 690-310-140 allows the proposed use be modified or conditioned to meet the presumption criteria. This review is based upon available information and agency policies in place at the time of evaluation.*

A. GENERAL INFORMATION: Applicant's Name: Three Valleys Ranch, LLC County: Malheur

A1. Applicant(s) seek(s) 1.0 cfs from one well(s) in the Malheur Basin,
Willow Creek subbasin Quad Map: Becker Creek

A2. Proposed use: Mining Seasonality: Year round

A3. Well and aquifer data (attach and number logs for existing wells; mark proposed wells as such under logid):

Well	Logid	Applicant's Well #	Proposed Aquifer*	Proposed Rate(cfs)	Location (T/R-S QQ-Q)	Location, metes and bounds, e.g. 2250' N, 1200' E fr NW cor S 36
1	MALH 56	1	Sand and gravel	1.0	14S/42E-6 SE-SE	325' N, 240' W fr SE cor S 6
2						
3						
4						
5						

* Alluvium, CRB, Bedrock

Well	Well Elev ft msl	First Water ft bls	SWL ft bls	SWL Date	Well Depth (ft)	Seal Interval (ft)	Casing Intervals (ft)	Liner Intervals (ft)	Perforations Or Screens (ft)	Well Yield (gpm)	Draw Down (ft)	Test Type
1	3515	8	8*	07/13/80	247	0-20	0-141	None	117-141	38	25	P

Use data from application for proposed wells.

A4. Comments: *The SWL above was taken over one month prior to the completion date of the well. The SWL was reported as 85 feet for the bottom 135 feet of the borehole, but was not reported for the completed well. I suspect the final SWL was 85 feet. Conversation with Steve Jay on 02/02/2010 confirms the deeper SWL. Application reports the well-head elevation to be 3533 feet msl.

A5. ☒ Provisions of the Malheur Basin rules relative to the development, classification and/or management of ground water hydraulically connected to surface water ☐ are, or ☒ are not, activated by this application. (Not all basin rules contain such provisions.)
Comments: _____

A6. ☐ Well(s) # _____, _____, _____, _____, _____, tap(s) an aquifer limited by an administrative restriction.
Name of administrative area: _____
Comments: _____

C. GROUND WATER/SURFACE WATER CONSIDERATIONS, OAR 690-09-040**C1. 690-09-040 (1): Evaluation of aquifer confinement:**

Well	Aquifer or Proposed Aquifer	Confined	Unconfined
1	Sand and gravel, likely Qtz of Brooks, 1976	☒	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐

Basis for aquifer confinement evaluation: The static water level is above the depth where groundwater was encountered.

C2. 690-09-040 (2) (3): Evaluation of distance to, and hydraulic connection with, surface water sources. All wells located a horizontal distance less than ¼ mile from a surface water source that produce water from an unconfined aquifer shall be assumed to be hydraulically connected to the surface water source. Include in this table any streams located beyond one mile that are evaluated for PSI.

Well	SW #	Surface Water Name	GW Elev ft msl	SW Elev ft msl	Distance (ft)	Hydraulically Connected?			Potential for Subst. Interfer. Assumed?	
						YES	NO	ASSUMED	YES	NO
1	1	Basin Creek	3430	3500	2150	☐	☒	☐	☐	☒
1	2	Fourth of July Creek	3430	3600	3900	☐	☒	☐	☐	☒
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐
						☐	☐	☐	☐	☐

Basis for aquifer hydraulic connection evaluation: The nearest reaches of the creeks are not incised into the water-bearing zone developed and the head relationship suggests poor hydraulic connection. However, the stream gradients are steep, such that there may be hydraulic connection with more distant reaches of the creeks. It is not clear that hydraulic connection occurs within one mile of the well due to the complex local geology. Older tuffaceous sedimentary rocks are exposed within one mile downstream in the bed of Basin Creek.

Water Availability Basin the well(s) are located within: Basin Creek > Willow Creek at Mouth (31011917).

C3a. 690-09-040 (4): Evaluation of stream impacts for each well that has been determined or assumed to be hydraulically connected and less than 1 mile from a surface water source. Limit evaluation to instream rights and minimum stream flows that are pertinent to that surface water source, and not lower SW sources to which the stream under evaluation is tributary. Compare the requested rate against the 1% of 80% natural flow for the pertinent Water Availability Basin (WAB). If Q is not distributed by well, use full rate for each well. Any checked ☒ box indicates the well is assumed to have the potential to cause PSI.

Well	SW #	Well < ¼ mile?	Qw > 5 cfs?	Instream Water Right ID	Instream Water Right Q (cfs)	Qw > 1% ISWR?	80% Natural Flow (cfs)	Qw > 1% of 80% Natural Flow?	Interference @ 30 days (%)	Potential for Subst. Interfer. Assumed?
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐
		☐	☐			☐		☐		☐

C3b. **690-09-040 (4):** Evaluation of stream impacts by total appropriation for all wells determined or assumed to be **hydraulically connected and less than 1 mile** from a surface water source. **Complete only if Q is distributed among wells.** Otherwise same evaluation and limitations apply as in C3a above.

	SW #		Qw > 5 cfs?	Instream Water Right ID	Instream Water Right Q (cfs)	Qw > 1% ISWR?	80% Natural Flow (cfs)	Qw > 1% of 80% Natural Flow?	Interference @ 30 days (%)	Potential for Subst. Interfer. Assumed?
			☐			☐		☐		☐
			☐			☐		☐		☐
			☐			☐		☐		☐
			☐			☐		☐		☐

Comments: **This section does not apply.**

C4a. **690-09-040 (5):** Estimated impacts on **hydraulically connected surface water sources greater than one mile** as a percentage of the proposed pumping rate. Limit evaluation to the effects that will occur up to one year after pumping begins. This table encompasses the considerations required by 09-040 (5)(a), (b), (c) and (d), which are not included on this form. Use additional sheets if calculated flows from more than one WAB are required.

Non-Distributed Wells													
Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
Distributed Wells													
Well	SW#	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
		%	%	%	%	%	%	%	%	%	%	%	%
Well Q as CFS													
Interference CFS													
(A) = Total Interf.													
(B) = 80 % Nat. Q													
(C) = 1 % Nat. Q													
(D) = (A) > (C)		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
(E) = (A / B) x 100		%	%	%	%	%	%	%	%	%	%	%	%

(A) = total interference as CFS; (B) = WAB calculated natural flow at 80% exceed. as CFS; (C) = 1% of calculated natural flow at 80% exceed. as CFS; (D) = highlight the checkmark for each month where (A) is greater than (C); (E) = total interference divided by 80% flow as percentage.

[illegible]

C5. ☐ If properly conditioned, the surface water source(s) can be adequately protected from interference, and/or ground water use under this permit can be regulated if it is found to substantially interfere with surface water:

i. ☐ The permit should contain condition #(s) _____;

ii. ☐ The permit should contain special condition(s) as indicated in "Remarks" below;

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

[illegible]

D. WELL CONSTRUCTION, OAR 690-200D1. Well #: 1 Logid: MALH 56D2. **THE WELL does not meet current well construction standards based upon:**

- a. ☐ review of the well log;
b. ☐ field inspection by _____;
c. ☐ report of CWRE _____;
d. ☐ other: (specify) _____

D3. **THE WELL construction deficiency:**

- a. ☐ constitutes a health threat under Division 200 rules;
b. ☐ commingles water from more than one ground water reservoir;
c. ☐ permits the loss of artesian head;
d. ☐ permits the de-watering of one or more ground water reservoirs;
e. ☐ other: (specify) _____

D4. **THE WELL construction deficiency is described as follows:** _____

_____D5. **THE WELL** a. ☐ was, or ☐ was not constructed according to the standards in effect at the time of original construction or most recent modification.b. ☒ I don't know if it met standards at the time of construction.D6. ☐ **Route to the Enforcement Section.** I recommend withholding issuance of the permit until evidence of well reconstruction is filed with the Department and approved by the Enforcement Section and the Ground Water Section.**THIS SECTION TO BE COMPLETED BY ENFORCEMENT PERSONNEL**D7. ☐ Well construction deficiency has been corrected by the following actions: _____

__________, 200_____
(Enforcement Section Signature)D8. ☐ **Route to Water Rights Section (attach well reconstruction logs to this page).**

Application G-17299, Three Valleys Ranch



MEMO

February 2, 2000

YES

☒ NO

YES

✓ NO

[illegible]

Oregon Water Resources Department
Water Rights/Adjudications Division

Water Rights Application
Number G-17299

Proposed Final Order

Summary of Recommendation: The Department recommends that the attached draft permit be issued with conditions.

Application History

On January 25, 2010, Three Valleys Ranch, LLC. submitted an application to the Department for the following water use permit:

- Amount of Water: 1.0 CUBIC FOOT PER SECOND (CFS)
- Use of Water: MINING
- Source of Water: WELL 1 (MALH 56/L95124) IN CASH GULCH BASIN
- Area of Proposed Use: MALHEUR COUNTY WITHIN SECTION 5, SECTION 6, SECTION 7, SECTION 8, SECTION 17, AND SECTION 18, TOWNSHIP 14 SOUTH, RANGE 42 EAST, W.M.

On April 23, 2010, the Department mailed the applicant notice of its Initial Review, determining that "*The use of 1.0 CFS of water from Well 1 (MALH 056) in Cash Gulch Basin for mining is allowable during the full period requested, year-round.*" The applicant did not notify the Department to stop processing the application within 14 days of that date.

On April 27, 2010, the Department gave public notice of the application in its weekly notice. The public notice included a request for comments, and information for interested persons about obtaining future notices and a copy of the Proposed Final Order.

Within 30 days of the Department's public notice, written comments were received from Todd Hesse, Environmental Engineer, with the Oregon Department of Environmental Quality (DEQ), Water Quality Section.

In reviewing applications, the Department may consider any relevant sources of information, including the following:

- recommendations by other state agencies
- any applicable basin program
- any applicable comprehensive plan or zoning ordinance
- the amount of water available
- the rate and duty for the proposed use

- pending senior applications and existing water rights of record
- designations of any critical ground water areas
- the Scenic Waterway requirements of ORS 390.835
- applicable statutes, administrative rules, and case law
- any general basin-wide standard for flow rate and duty of water allowed
- the need for a flow rate and duty higher than the general standard
- any comments received

Findings of Fact

The Malheur Basin Program allows mining.

WELL 1 (MALH 56/L95124) in Cash Gulch Basin is not within or above a State Scenic Waterway.

Ground Water Findings Under OAR 690-009

The Department determined, consistent with OAR 690-009-0040(4), that the proposed ground water use will not have the potential for substantial interference with surface water.

In making this determination, the Department considered whether:

- (a) There is a hydraulic connection from the proposed well(s) to any surface water sources.
- (b) The point of appropriation is a horizontal distance less than one-fourth mile from the surface water source;
- (c) The rate of appropriation is greater than five cubic feet per second, if the point of appropriation is a horizontal distance less than one mile from the surface water source;
- (d) The rate of appropriation is greater than one percent of the pertinent adopted minimum perennial streamflow or instream water right with a senior priority date, if one is applicable, or of the discharge that is equaled or exceeded 80 percent of time, as determined or estimated by the Department, and if the point of appropriation is a horizontal distance less than one mile from the surface water source;
- (e) The ground water appropriation, if continued for a period of 30 days, would result in stream depletion greater than 25 percent of the rate of appropriation, if the point of appropriation is a horizontal distance less than one mile from the surface water source.

According to the Department's rules, the potential for substantial interference is assumed if (a) and either (b) or (c) or (d) or (e) are met. For this application, the Department:

determined that there is no potential for substantial interference, because either (a) is not met, or (b), (c), (d) or (e) are not met, or both.

An assessment of ground water availability has been completed by the Department's Ground Water/Hydrology section. A copy of this assessment is in the file. The proposed water use will likely be available in the amounts requested without injury to prior rights and/or within the capacity of the resource.

The Department finds that the amount of water requested, 1.0 CFS, is an acceptable amount.

The proposed ground water use is not within a designated critical ground water area.

Conclusions of Law

Under the provisions of ORS 537.621, the Department must presume that a proposed use will ensure the preservation of the public welfare, safety and health if the proposed use is allowed in the applicable basin program established pursuant to ORS 536.300 and 536.340 or given a preference under ORS 536.310(12), if water is available, if the proposed use will not injure other water rights and if the proposed use complies with rules of the Water Resources Commission.

The proposed use requested in this application is allowed in the Malheur Basin Program, or a preference for this use is granted under the provisions of ORS 536.310(12).

Water is available for the proposed use.

The proposed use will not injure other water rights.

The proposed use complies with other rules of the Water Resources Commission not otherwise described above.

The application is in compliance with the State Agency Coordination Program regarding land use.

No proposed flow rate and duty of water higher than the general basin-wide standard is needed.

For these reasons, the required presumption has been established.

Under the provisions of ORS 537.621, once the presumption has been established, it may be overcome by a preponderance of evidence that either:

- (a) One or more of the criteria for establishing the presumption are not satisfied; or
- (b) The proposed use would not ensure the preservation of the public welfare, safety and health as demonstrated in comments, in a protest . . . or in a finding of the department that shows:
 - (A) The specific aspect of the public welfare, safety and health under ORS 537.525 that would be impaired or detrimentally affected; and
 - (B) Specifically how the identified aspect of the public welfare, safety and health under ORS 537.525 would be impaired or be adversely affected.

In this application, all criteria for establishing the presumption have been satisfied, as noted above. The presumption has not been overcome by a preponderance of evidence that the proposed use would impair or be detrimental to the public interest.

The Department therefore concludes that the proposed use would ensure the preservation of the public welfare, safety and health as described in ORS 537.525.

When issuing permits, ORS 537.628(1) authorizes the Department to include limitations and conditions which have been determined necessary to protect the public welfare, safety, and health. The attached draft permit is conditioned accordingly.

Recommendation

The Department recommends that the attached draft permit be issued with conditions.

DATED October 5, 2010

E. Timothy Wall

for Phillip C. Ward, Director
Water Resources Department

*If you have any questions,
please check the information
box on the last page for the
appropriate names and
phone numbers.*

Protests

Under the provisions of ORS 537.153(7) (for surface water) or ORS 537.621(8) (for ground water), you can protest this Proposed Final Order. Protests must be received in the Water Resources Department no later than **November 19, 2010**. Protests must be in writing, and must include the following:

- Your name, address, and telephone number;
- A description of your interest in the Proposed Final Order, and, if you claim to represent the public interest, a precise statement of the public interest represented;
- A detailed description of how the action proposed in this Proposed Final Order would impair or be detrimental to your interest;
- A detailed description of how the Proposed Final Order is in error or deficient, and how to correct the alleged error or deficiency;
- Any citation of legal authority to support your protest, if known;
- If you are the applicant, the protest fee of \$300 required by ORS 536.050; and
- If you are not the applicant, the protest fee of \$600 required by ORS 536.050 and proof of service of the protest upon the applicant.
- If you are the applicant, a statement of whether or not you are requesting a contested case hearing. If you do not request a hearing, the Department will presume that you do not wish to contest the findings of the Proposed Final Order.
- *If you do not protest this Proposed Final Order and if no substantive changes are made in the Final Order, you will not have an opportunity for judicial review, protest or appeal of the Final Order when it is issued.*

Requests for Standing

Under the provisions of ORS 537.153(7) (for surface water) or ORS 537.621(8) (for ground water), persons other than the applicant who support a Proposed Final Order can request standing for purposes of

participating in any contested case proceeding on the Proposed Final Order or for judicial review of a Final Order.

Requests for standing must be received in the Water Resources Department no later than **November 19, 2010**. Requests for standing must be in writing, and must include the following:

- The requester's name, mailing address and telephone number;
- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;
- A statement that the requester supports the Proposed Final Order as issued;
- A detailed statement of how the requester would be harmed if the Proposed Final Order is modified; and
- A standing fee of \$150. If a hearing is scheduled, an additional fee of \$350 must be submitted along with a request for intervention.

After the protest period has ended, the Director will either issue a Final Order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been submitted and either:

- upon review of the issues, the director finds that there are significant disputes related to the proposed use of water, or
- the applicant requests a contested case hearing within 30 days after the close of the protest period.

If you do not request a hearing within 30 days after the close of the protest period, or if you withdraw a request for a hearing, notify the Department or the administrative law judge that you will not appear or fail to appear at a scheduled hearing, the Director may issue a Final Order by default. If the Director issues a Final Order by default, the Department designates the relevant portions of its files on this matter, including all materials that you have submitted relating to this matter, as the record for purpose of proving a *prima facie* case upon default.

This document was prepared by Kerry Kavanagh. If you have any questions about any of the statements contained in this document I am most likely the best person to answer your questions. You can reach me at 503-986-0816.

If you have questions about how to file a protest or a request for standing, please refer to the respective sections in this Proposed Final Order entitled "Protests" and "Requests for Standing". If you have previously filed a protest and want to know its status, please contact Patricia McCarty at 503-986-0820.

If you have other questions about the Department or any of its programs please contact our Customer Service Group at 503-986-0801. Address all other correspondence to:

Water Rights Section, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266, Fax: 503-986-0901.

DRAFT

This is not a permit.
STATE OF OREGON

DRAFT

COUNTY OF MALHEUR

DRAFT PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS DRAFT PERMIT IS HEREBY ISSUED TO

THREE VALLEYS RANCH, LLC.
PO BOX 5075
BRIDGEPORT, OR 97819

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

APPLICATION FILE NUMBER: G-17299

SOURCE OF WATER: WELL 1 (MALH 56/L95124) IN CASH GULCH BASIN

PURPOSE OR USE: MINING

MAXIMUM RATE: 1.0 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: JANUARY 25, 2010

WELL LOCATION: SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 6, T14S, R42E, W.M.; 325 FEET NORTH
AND 240 FEET WEST FROM SE CORNER, SECTION 6

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW $\frac{1}{4}$ SE $\frac{1}{4}$
SE $\frac{1}{4}$ SE $\frac{1}{4}$
SECTION 5

NE $\frac{1}{4}$ SW $\frac{1}{4}$
NW $\frac{1}{4}$ SW $\frac{1}{4}$
SW $\frac{1}{4}$ SW $\frac{1}{4}$
SE $\frac{1}{4}$ SW $\frac{1}{4}$
NE $\frac{1}{4}$ SE $\frac{1}{4}$
NW $\frac{1}{4}$ SE $\frac{1}{4}$
SW $\frac{1}{4}$ SE $\frac{1}{4}$
SE $\frac{1}{4}$ SE $\frac{1}{4}$
SECTION 6

TOWNSHIP 14 SOUTH, RANGE 42 EAST, W.M.

THE PLACE OF USE IS LOCATED AS FOLLOWS (CONTINUED) :

NE $\frac{1}{4}$ NE $\frac{1}{4}$
 NW $\frac{1}{4}$ NE $\frac{1}{4}$
 SW $\frac{1}{4}$ NE $\frac{1}{4}$
 SE $\frac{1}{4}$ NE $\frac{1}{4}$
 NE $\frac{1}{4}$ NW $\frac{1}{4}$
 NW $\frac{1}{4}$ NW $\frac{1}{4}$
 SW $\frac{1}{4}$ NW $\frac{1}{4}$
 SE $\frac{1}{4}$ NW $\frac{1}{4}$
 NE $\frac{1}{4}$ SW $\frac{1}{4}$
 NW $\frac{1}{4}$ SW $\frac{1}{4}$
 SW $\frac{1}{4}$ SW $\frac{1}{4}$
 SE $\frac{1}{4}$ SW $\frac{1}{4}$
 NW $\frac{1}{4}$ SE $\frac{1}{4}$
 SW $\frac{1}{4}$ SE $\frac{1}{4}$
 SE $\frac{1}{4}$ SE $\frac{1}{4}$
 SECTION 7

NW $\frac{1}{4}$ NE $\frac{1}{4}$
 SW $\frac{1}{4}$ NE $\frac{1}{4}$
 NE $\frac{1}{4}$ NW $\frac{1}{4}$
 SW $\frac{1}{4}$ NW $\frac{1}{4}$
 SE $\frac{1}{4}$ NW $\frac{1}{4}$
 NE $\frac{1}{4}$ SW $\frac{1}{4}$
 NW $\frac{1}{4}$ SW $\frac{1}{4}$
 SW $\frac{1}{4}$ SW $\frac{1}{4}$
 NW $\frac{1}{4}$ SE $\frac{1}{4}$
 SECTION 8

NE $\frac{1}{4}$ NE $\frac{1}{4}$
 NW $\frac{1}{4}$ NE $\frac{1}{4}$
 SW $\frac{1}{4}$ NE $\frac{1}{4}$
 SE $\frac{1}{4}$ NE $\frac{1}{4}$
 NE $\frac{1}{4}$ NW $\frac{1}{4}$
 NW $\frac{1}{4}$ NW $\frac{1}{4}$
 SW $\frac{1}{4}$ NW $\frac{1}{4}$
 SE $\frac{1}{4}$ NW $\frac{1}{4}$
 NE $\frac{1}{4}$ SW $\frac{1}{4}$
 NW $\frac{1}{4}$ SW $\frac{1}{4}$
 SW $\frac{1}{4}$ SW $\frac{1}{4}$
 SE $\frac{1}{4}$ SW $\frac{1}{4}$
 NE $\frac{1}{4}$ SE $\frac{1}{4}$
 NW $\frac{1}{4}$ SE $\frac{1}{4}$
 SW $\frac{1}{4}$ SE $\frac{1}{4}$
 SE $\frac{1}{4}$ SE $\frac{1}{4}$
 SECTION 17

TOWNSHIP 14 SOUTH, RANGE 42 EAST, W.M.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE ¼ NE ¼
 NW ¼ NE ¼
 SW ¼ NE ¼
 SE ¼ NE ¼
 NE ¼ NW ¼
 NW ¼ NW ¼
 SW ¼ NW ¼
 SE ¼ NW ¼
 NE ¼ SW ¼
 NW ¼ SW ¼
 SW ¼ SW ¼
 SE ¼ SW ¼
 NE ¼ SE ¼
 NW ¼ SE ¼
 SW ¼ SE ¼
 SE ¼ SE ¼

SECTION 18

TOWNSHIP 14 SOUTH, RANGE 42 EAST, W.M.

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee 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.
- C. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where any meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently

attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.

Any effluents or return flows from use under this permit shall not interfere with other beneficial uses of water.

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

STANDARD CONDITIONS

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.

If the number, location, source, or construction of any well deviates from that proposed in the permit application or required by permit conditions, this permit may be subject to cancellation, unless the Department authorizes the change in writing.

If substantial interference with a senior water right occurs due to withdrawal 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 well(s) 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.

If the riparian area is disturbed in the process of developing a point of appropriation, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of downstream waters decreases to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to such agreement.

Prior to receiving a certificate of water right, the permit holder shall submit to the Water Resources Department the results of a pump test meeting the Department's standards for each point of appropriation (well), unless an exemption has been obtained in writing under OAR 690-217. The Director may require water-level or pump-test data every ten years thereafter.

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.

Completion of construction and application of the water shall be made within five years of the date of permit issuance. If beneficial use of permitted water has not been made before this date, the permittee may submit an application for extension of time, which may be approved based upon the merit of the application.

Within one year after making beneficial use of water, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner.

Issued

DRAFT - THIS IS NOT A PERMIT

for Phillip C. Ward, Director
Water Resources Department

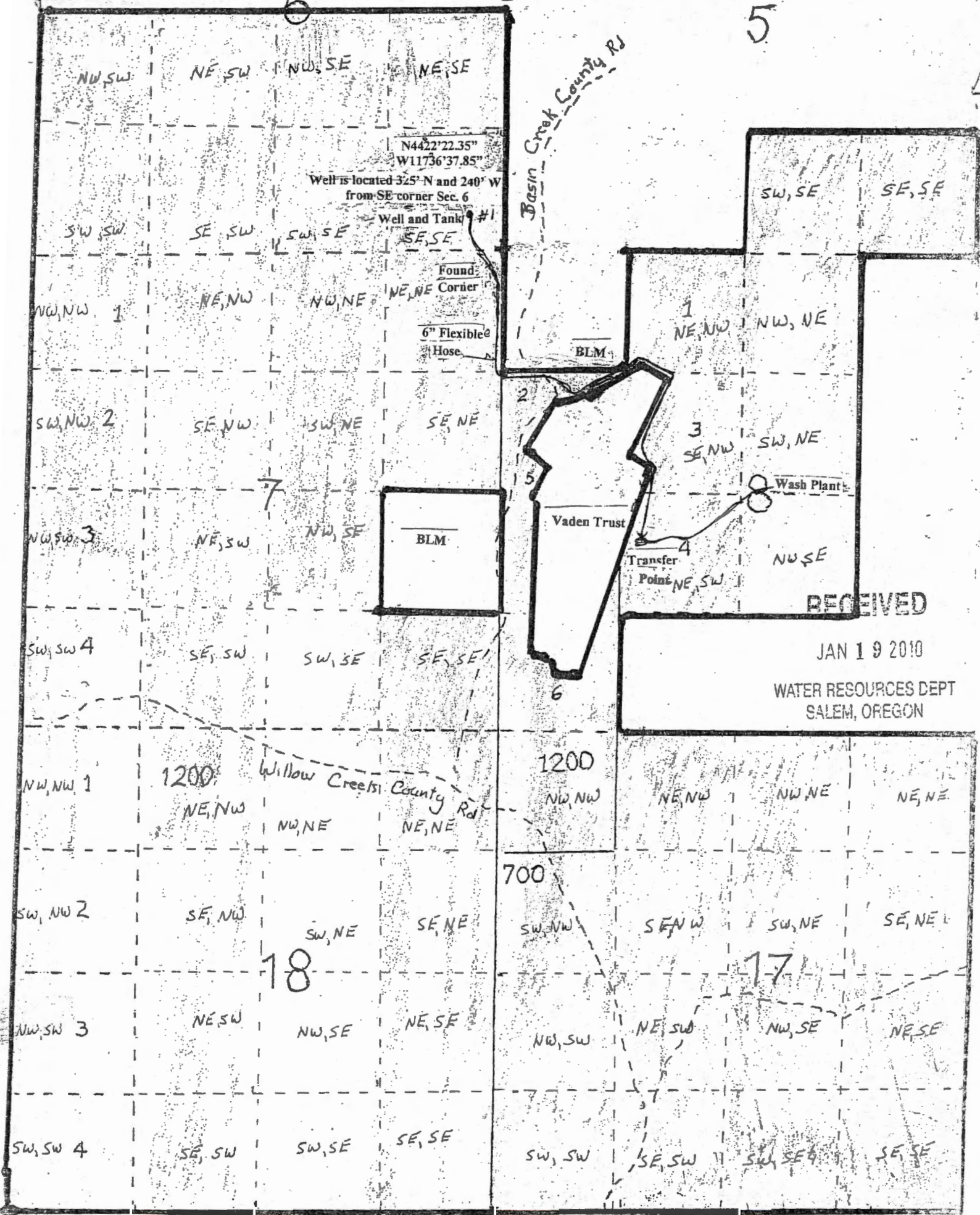
Beneficial Use Area is shaded

Malheur County
T.14 S. R.42 E. W.M.

Map Scale 4"=1 mile

6

5



Mailing List for PFO Copies

Application #G-17299

PFO Date October 5, 2010

Original mailed to applicant:

✓ THREE VALLEYS RANCH, LLC.
ATTENTION: STEVE JAY
PO BOX 5075
BRIDGEPORT, OR 97819

Copies sent to:

- ✓ 1. WRD - File # G-17299
- ✓ 2. WRD - Water Availability: Ken Stahr

PFO and Map Copies sent to:

- ✓ 3. WRD - Watermaster # 9
- ✓ 4. WRD - Regional Manager: EASTERN

Copies Mailed

By: JCB
(SUPPORT STAFF)
on: 10/4/10
(DATE)

Protest/
Standing Dates
checked

JCB

Copies sent to Other Interested Persons (CWRE, Agent, Well Driller, Commenter, etc.)

"\$20 LETTER" sent to Interested Persons who have not protested or paid for copies

CASEWORKER : Kerry Kavanagh

Kerry Kavanagh

From: Kerry Kavanagh
Sent: Tuesday, September 14, 2010 11:51 AM
To: jan
Cc: Kerry Kavanagh
Subject: RE: G17299

Hi Jan,

I am working on the proposed final order (PFO), which is the next step in the application process.

Once complete, I need to have the PFO peer-reviewed, then reviewed and signed by my manager.

I anticipate that the PFO will be issued in early October.

Let me know if you have any questions.

Kerry

Kerry Kavanagh
Application Caseworker
Water Rights Section
Oregon Water Resources Department
725 Summer St. NE Suite A
Salem, OR 97301
(503) 986-0816

From: jan [mailto:alx@ortelco.net]
Sent: Friday, September 10, 2010 7:33 AM
To: Kerry Kavanagh
Subject: G17299

Hi Kerry-could you give me an update on the status of this groundwater application? We have had no correspondence from your office since April 23, 2010.

Thanks for any information you can provide.
Jan Alexander
541-446-3413

9/14/2010

Kerry Kavanagh

From: jan [alx@ortelco.net]
Sent: Friday, September 10, 2010 7:33 AM
To: Kerry Kavanagh
Subject: G17299

Hi Kerry-could you give me an update on the status of this groundwater application? We have had no correspondance from your office since April 23, 2010.

Thanks for any information you can provide.
Jan Alexander
541-446-3413

9/14/2010



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

THREE VALLEYS RANCH LLC
PO BOX 5075
BRIDGEPORT, OR 97819

April 23, 2010

Reference: File G-17299

Dear Applicant:

THIS IS NOT A PERMIT AND IS SUBJECT TO CHANGE AT THE NEXT PHASE OF PROCESSING.

This letter is to inform you of the preliminary analysis of your water use permit application and to describe your options. In determining whether a water use permit application may be approved, the Department must consider the factors listed below, all of which must be favorable to the proposed use if it is to be allowed. Based on the information you have supplied, the Water Resources Department has made the following preliminary determinations:

Initial Review Determinations:

1. The application proposed the use of 1.0 cubic foot per second (CFS) of water from Well 1 (MALH 056) in Cash Gulch Basin for year-round mining use.

Based on application materials submitted, we understand that you will use ground water from Well 1 (MALH 056) for off-stream placer-gold mining. You will utilize a 3,000 gallon capacity storage tank near the well, then pump the water from the tank to a pond at the transfer point located in NESW, Section 8, Township 14 South, Range 42 East, W.M. Water will then be pumped from the transfer pond to the processing ponds at the processing site located in NWSE, Section 8, Township 14 South, Range 42 East, W.M. Once mining is completed east of Basin Creek, you will begin mining west of Basin Creek using portable wash plants.

2. The proposed use is not prohibited by law or rule except where otherwise noted below.
3. The use of water from Well 1 (MALH 056) in Cash Gulch Basin for mining use is allowable under the Malheur Basin Program on the condition that any effluents and/or return flows from the mining operation not interfere with other beneficial uses of water (Oregon Administrative Rules 690-510-0020).
4. Ground water will likely be available in the amounts requested without injury to prior rights and within the capacity of the resource.

The Department has determined, based upon OAR 690-009, that the proposed ground water use will not have the potential for substantial interference with any surface water source.

5. You are encouraged to contact Malheur County as you may need to obtain authorization to cross Basin Creek Road and Willow Creek Road.

Summary of Initial Determinations

The use of 1.0 CFS of water from Well 1 (MALH 056) in Cash Gulch Basin for mining is allowable during the full period requested, year-round.

Because of these favorable determinations, the Department can now move your application to the next phase of the water-rights application review process, where public interest factors will be evaluated.

Please reference the application number when sending any correspondence regarding the conclusions of this initial review. Comments received within the comment period will be evaluated at the next phase of the process.

To Proceed With Your Application:

If you choose to proceed with your application, you do not have to notify the Department. Your application will automatically be placed on the Department's Public Notice to allow others the opportunity to comment. After the comment period the Department will complete a public interest review and issue a Proposed Final Order.

Withdrawal Refunds:

If you choose not to proceed, you may withdraw your application and receive a refund (minus a \$200 processing charge per application). To accomplish this you must notify the Department in writing by **Friday, May 7, 2010**. For your convenience you may use the enclosed "STOP PROCESSING" form.

If A Permit Is Issued It Will Likely Include The Following Conditions:

1. Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a totalizing flow meter or other suitable measuring device as approved by the Director at each point of appropriation. The permittee shall maintain the meter or measuring device in good working order.
- B. The permittee 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.
- C. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where any meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- D. The Director may provide an opportunity for the permittee to submit alternative measuring and reporting procedures for review and approval.

2. Prior to using water from any well listed on this permit, the permittee shall ensure that the well has been assigned an OWRD Well Identification Number (Well ID tag), which shall be permanently attached to the well. The Well ID shall be used as a reference in any correspondence regarding the well, including any reports of water use, water level, or pump test data.
3. Any effluents or return flows from use under this permit shall not interfere with other beneficial uses of water.
4. The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.

The water source identified in your application may be affected by an Agricultural Water Quality Management Area Plan. These plans are developed by the Oregon Department of Agriculture (ODA) with the cooperation of local landowners and other interested stakeholders, and help to ensure that current and new appropriations of water are done in a way that does not adversely harm the environment. You are encouraged to explore ODA's Water Quality Program web site at http://www.oregon.gov/ODA/NRD/water_agplans.shtml to learn more about the plans and how they may affect your proposed water use.

If you have any questions:

Feel free to call me at 503-986-0816 if you have any questions regarding the contents of this letter or your application. Please have your application number available if you call. General questions about water rights and water use permits should be directed to our customer service staff at 503-986-0801. When corresponding by mail, please use this address: Kerry Kavanagh, Oregon Water Resources Department, 725 Summer St NE Ste A, Salem OR 97301-1266. Our fax number is 503-986-0901.

Sincerely,



Kerry Kavanagh
Water Right Application Caseworker

enclosures: Application Process Description and Stop Processing Request Form

G-17299
WAB 10-no psi
POU 10-no psi
GW

APPLICATION FACT SHEET

Application File Number: G-17299

Applicant: THREE VALLEYS RANCH LLC

County: Malheur

Watermaster: 9

Priority Date: January 19, 2010

Source: WELL 1 (MALH 056) IN CASH GULCH BASIN

Use: MINING

Quantity: 1.0 CUBIC FOOT PER SECOND

Basin Name & Number: Malheur, #10

Stream Index Reference: Volume 2 BASIN CR & MISC

Well Location: SESE, SECTION 6, T14S, R42E, W.M.; 325 FEET NORTH AND 240 FEET WEST FROM SE CORNER, SECTION 6

Place of Use:

SW ¼ SE ¼	NE ¼ NE ¼	NW ¼ NE ¼
SE ¼ SE ¼	NW ¼ NE ¼	SW ¼ NE ¼
SECTION 5	SW ¼ NE ¼	NE ¼ NW ¼
	SE ¼ NE ¼	SW ¼ NW ¼
NE ¼ SW ¼	NE ¼ NW ¼	SE ¼ NW ¼
NW ¼ SW ¼	NW ¼ NW ¼	NE ¼ SW ¼
SW ¼ SW ¼	SW ¼ NW ¼	NW ¼ SW ¼
SE ¼ SW ¼	SE ¼ NW ¼	SW ¼ SW ¼
NE ¼ SE ¼	NE ¼ SW ¼	NW ¼ SE ¼
NW ¼ SE ¼	NW ¼ SW ¼	SECTION 8
SW ¼ SE ¼	SW ¼ SW ¼	
SE ¼ SE ¼	SE ¼ SW ¼	
SECTION 6	NW ¼ SE ¼	
	SW ¼ SE ¼	
	SE ¼ SE ¼	
	SECTION 7	

TOWNSHIP 14 SOUTH, RANGE 42 EAST, W.M.

Place of Use (continued):

NE $\frac{1}{4}$ NE $\frac{1}{4}$
NW $\frac{1}{4}$ NE $\frac{1}{4}$
SW $\frac{1}{4}$ NE $\frac{1}{4}$
SE $\frac{1}{4}$ NE $\frac{1}{4}$
NE $\frac{1}{4}$ NW $\frac{1}{4}$
NW $\frac{1}{4}$ NW $\frac{1}{4}$
SW $\frac{1}{4}$ NW $\frac{1}{4}$
SE $\frac{1}{4}$ NW $\frac{1}{4}$
NE $\frac{1}{4}$ SW $\frac{1}{4}$
NW $\frac{1}{4}$ SW $\frac{1}{4}$
SW $\frac{1}{4}$ SW $\frac{1}{4}$
SE $\frac{1}{4}$ SW $\frac{1}{4}$
NE $\frac{1}{4}$ SE $\frac{1}{4}$
NW $\frac{1}{4}$ SE $\frac{1}{4}$
SW $\frac{1}{4}$ SE $\frac{1}{4}$
SE $\frac{1}{4}$ SE $\frac{1}{4}$
SECTION 17

NE $\frac{1}{4}$ NE $\frac{1}{4}$
NW $\frac{1}{4}$ NE $\frac{1}{4}$
SW $\frac{1}{4}$ NE $\frac{1}{4}$
SE $\frac{1}{4}$ NE $\frac{1}{4}$
NE $\frac{1}{4}$ NW $\frac{1}{4}$
NW $\frac{1}{4}$ NW $\frac{1}{4}$
SW $\frac{1}{4}$ NW $\frac{1}{4}$
SE $\frac{1}{4}$ NW $\frac{1}{4}$
NE $\frac{1}{4}$ SW $\frac{1}{4}$
NW $\frac{1}{4}$ SW $\frac{1}{4}$
SW $\frac{1}{4}$ SW $\frac{1}{4}$
SE $\frac{1}{4}$ SW $\frac{1}{4}$
NE $\frac{1}{4}$ SE $\frac{1}{4}$
NW $\frac{1}{4}$ SE $\frac{1}{4}$
SW $\frac{1}{4}$ SE $\frac{1}{4}$
SE $\frac{1}{4}$ SE $\frac{1}{4}$
SECTION 18

TOWNSHIP 14 SOUTH, RANGE 42 EAST, W.M.

14 DAY STOP PROCESSING DEADLINE DATE: Friday, May 7, 2010

PUBLIC NOTICE DATE: Tuesday, April 27, 2010

30 DAY COMMENT DEADLINE DATE: Thursday, May 27, 2010

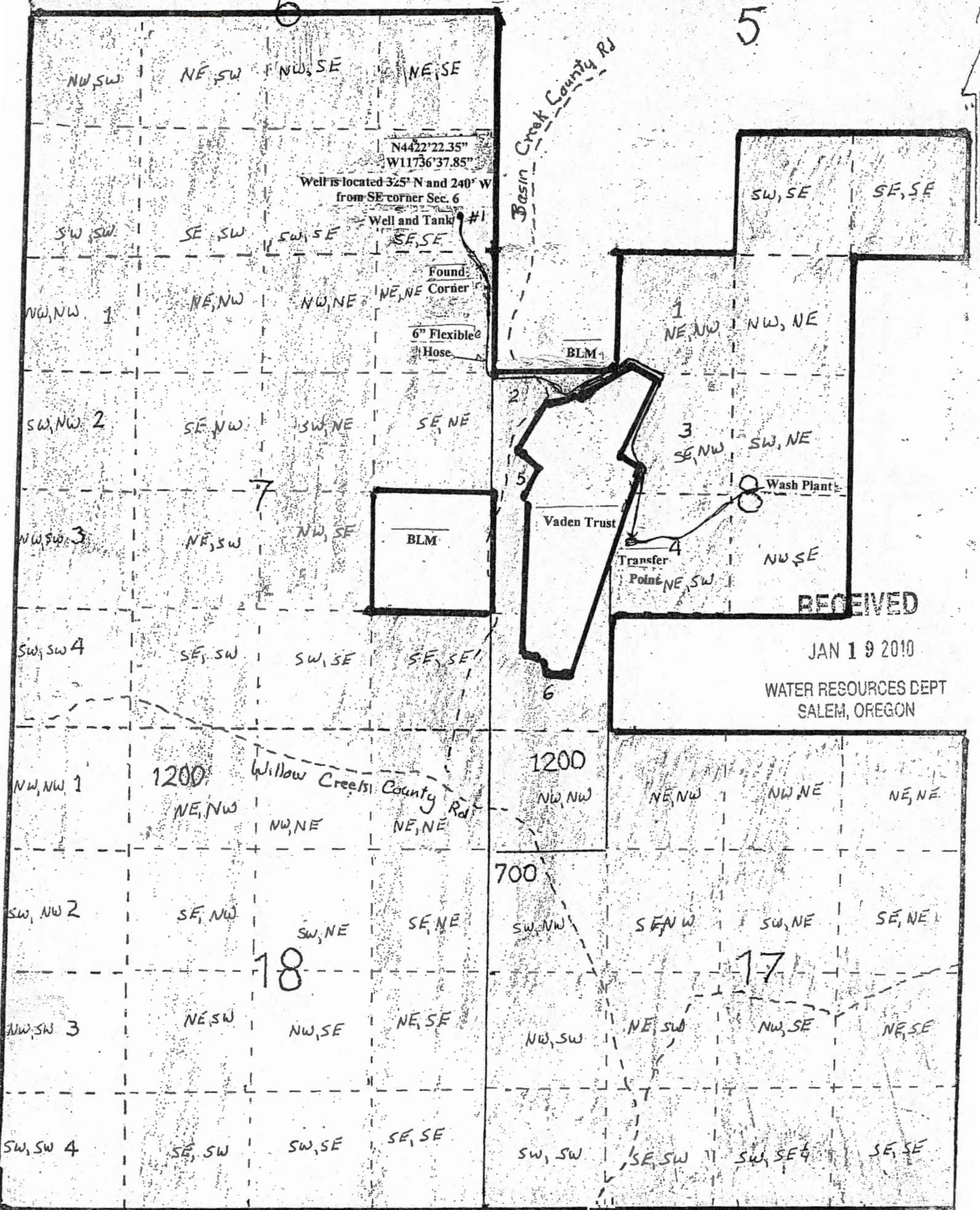
Beneficial Use Area is shaded

Maine County
T.14 S. R.42 E. W.M.

Map Scale 4"=1 mile

6

5



Mailing List for IR Copies

Application #G-17299

IR Date: April 23, 2010

Original mailed to applicant:

THREE VALLEYS RANCH LLC
PO BOX 5075
BRIDGEPORT, OR 97819

Copies sent to:

- ~~1.~~ WRD - File # G-17299
- ~~2.~~ WRD - Water Availability: Ken Stahr

IR, Map, and Fact Sheet Copies sent to:

- ~~3.~~ WRD - Regional Manager: EASTERN
- ~~4.~~ WRD - Watermaster # 9

Copies Mailed
By: <u>JCB</u>
(SUPPORT STAFF)
on: <u>4/22/10</u>
(DATE)

Affected Landowners (include "Notice of Initial Review--Affected Landowner"):

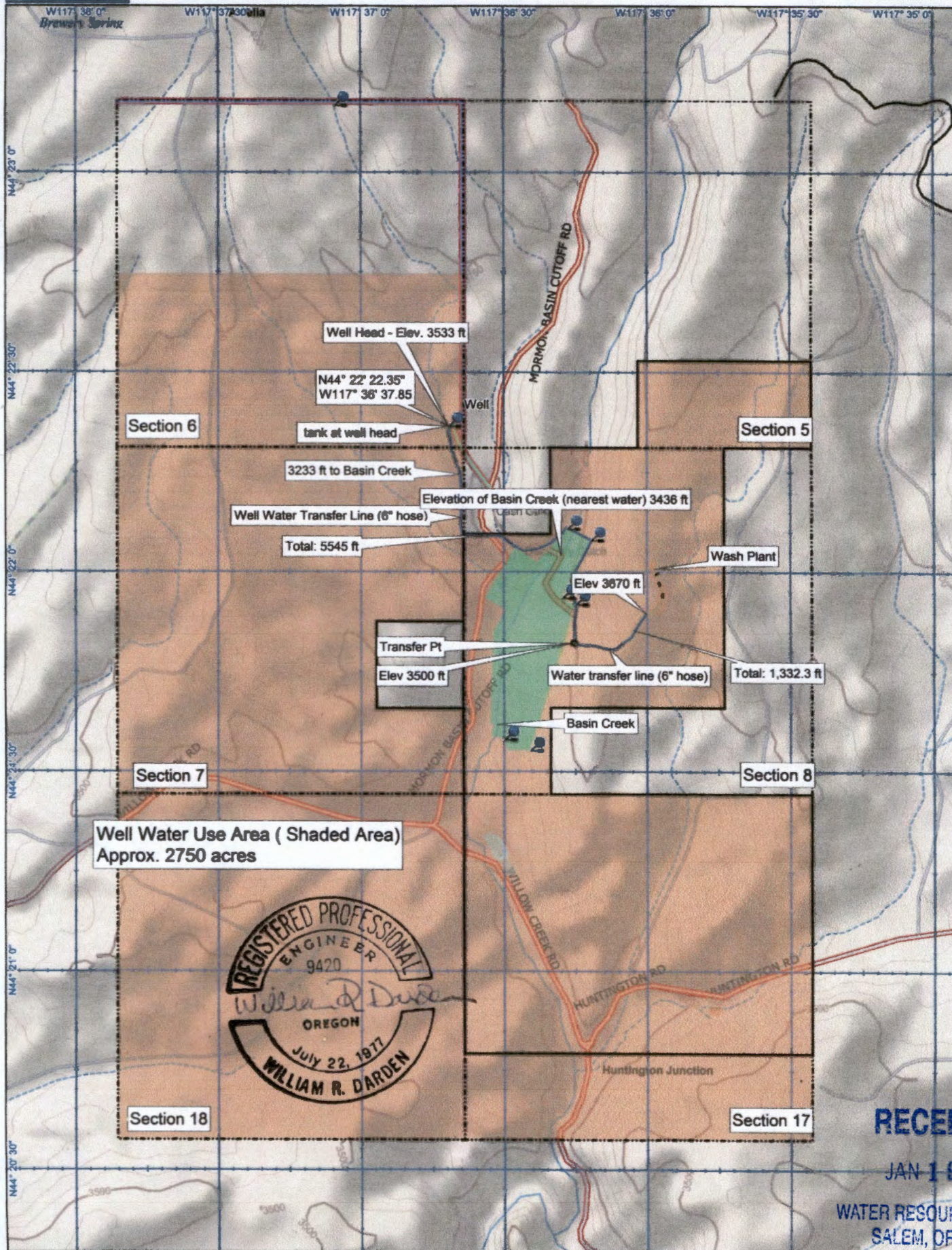
- ~~5.~~ Malheur County Road Department, 251 B Street West, #8, Vale, OR 97918

Copies sent to Other Interested Persons (CWRE, Agent, Well Driller, Commenter, etc.)

- ~~6.~~ Oregon Department of Geology and Mineral Industries,
Mineral Land Regulation and Reclamation Program,
229 Broadalbin Street SW, Albany, OR 97321
- ~~7.~~ Oregon Department of Environmental Quality, Water Quality Division,
Eastern Region Office, 700 SE Emigrant Avenue, #330, Pendleton, OR 97801

Caseworker: Kerry Kavanagh

COPYSH.T.IR



RECEIVED

JAN 19 2010

WATER RESOURCES DEP
SALEM, OREGON

Data use subject to license.

© 2006 DeLorme. Topo USA® 6.0.

www.delorme.com

G17299

Malheur County T.14 S. R42 E. W.M.

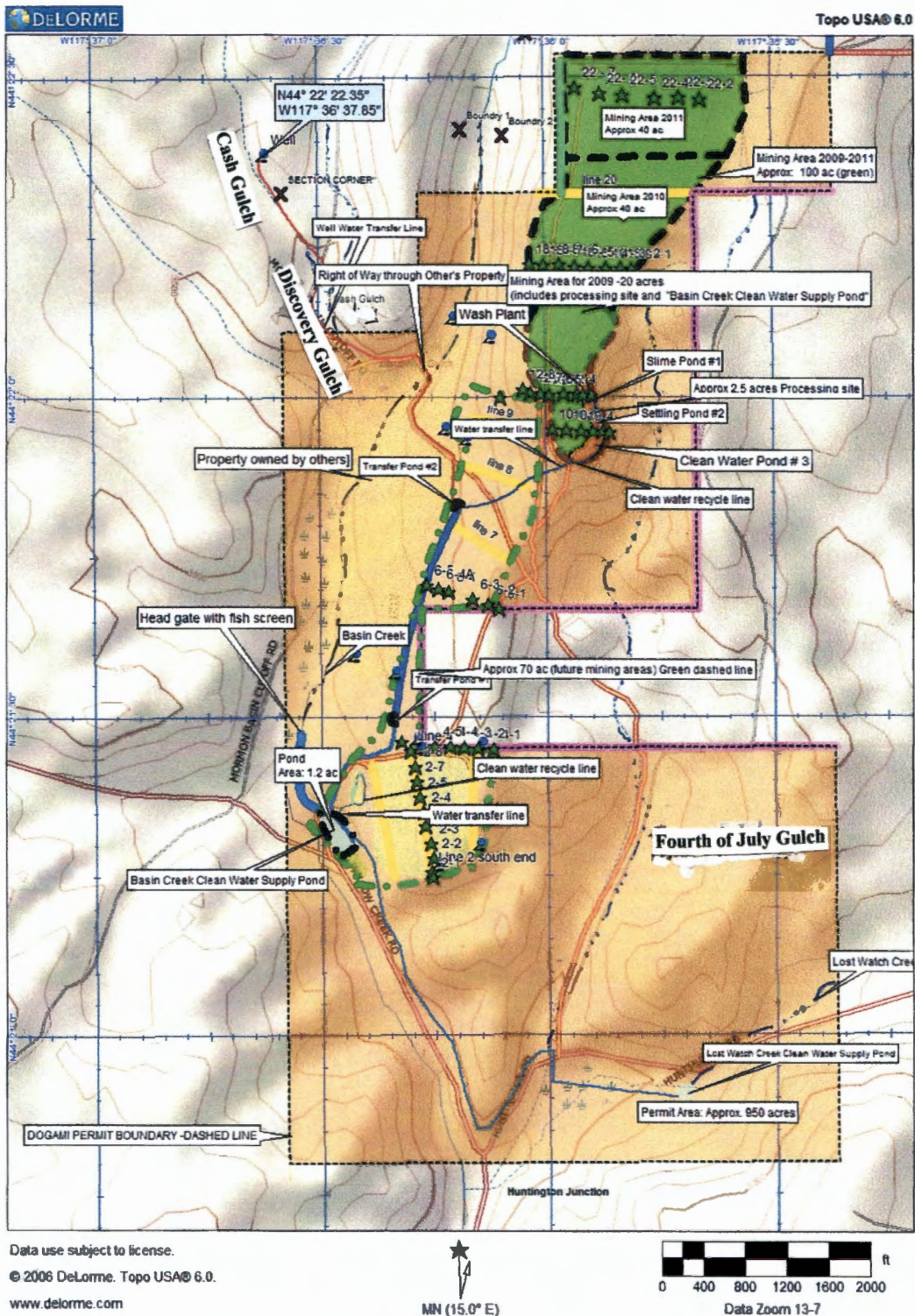


Figure 1

DOGAMI PERMIT BOUNDARY (950 acres)

(dashed line and orange area)

Discovery, Cash and Fourth of July are Dry Gulches

Basin Creek is Perennial

RECEIVED

JAN 19 2010

WATER RESOURCES DEPT
SALEM, OREGON

Three Valleys Ranch



Oregon Water Resources Department 725
Summer Street NE, Suite A
Salem Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Application for a Permit to Use Ground Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. APPLICANT INFORMATION

A. Individuals

Applicant: _____
First Last

Mailing Address: _____

City State Zip

Phone: _____
Home Work Other

*Fax: _____ *Email Address: _____

B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of Organization: Three Valleys Ranch, LLC

Name and Title of Person Applying: Steve Jay, Registered Agent

Mailing Address or Organization: P.O. Box 5075

Bridgeport Oregon 97819
City State Zip

Phone : 541-446-3436
Day Evening

*Fax: _____ *Email Address: _____

*Optional

For Department Use		
App. No. <u>G17299</u>	Permit No. _____	Date _____

Last Updated: 3/31/2009

Ground Water/I

RECEIVED

WR

JAN 19 2010

WATER RESOURCES DEPT
SALEM, OREGON

2. PROPERTY OWNERSHIP

☐ Yes (Please check appropriate box below then skip to section 3 'Ground Water Development')

☐ There are no encumbrances

☒ This land is encumbered by easements, rights of way, roads or other encumbrances
(please provide a copy of the recorded deed(s))

☐ No (Please check the appropriate box below)

☐ I have a recorded easement or written authorization permitting access.

☐ I do not currently have written authorization or easement permitting access.

☐ Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040).

You must provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.

List the names and mailing addresses of all affected landowners.

Three Valleys Ranch, LLC
Steve Jay Registered Agent
P.O. Box 5075
Bridgeport, OR 97819

3. GROUND WATER DEVELOPMENT

A. Well Information

Number of well(s): One

Name of nearest surface water body: Basin Creek

Distance from well(s) to nearest stream or lake:

1) 2,164' from well 2) _____ 3) _____ 4) _____

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head:

1) Well 3533', Crk 3436' 2) Elevation diff is 97' 3) _____ 4) _____

B. Well Characteristics

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to section 4 of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

Well(s) will be constructed by:

Well is existing MALH 056

Mailing Address: _____

City

State

Zip

Ground Water/2

RECEIVED

JAN 19 2010

WATER RESOURCES DEPT
SALEM, OREGON

G-17299

Completion Date: See Log

Please provide a description of your well development. (*Attach additional sheets if needed.*)

Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
				See Log					

Note: Well numbers in this listing must correspond to well locations(s) shown on accompanying map.

If well log is not available, or well is not yet constructed, you must provide: proposed total depth, depth of casing and seal, and the anticipated perforation and open intervals.

C. Artesian Flows

If your water well is flowing artesian, describe your water control and conservation works:

N/A

4. WATER USE

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

A. Type(s) of Use(s)

See list of beneficial uses provided in the instructions.

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: _____
- If your proposed use is **irrigation**, please attach **Form I**
- ✓ If your proposed use is **mining**, attach **Form R**
- If your proposed use is **municipal or quasi-municipal**, attach **Form M**
- If your proposed use is **commercial/industrial**, attach **Form Q**

Ground Water/3

RECEIVED

JAN 19 2010

WATER RESOURCES DEPT
SALEM, OREGON

617299

B. Amount of Water

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
#1	See Well Log	Mining	448.8	29,456,000	300

C. Maximum Rate of Use Requested

What is the maximum, instantaneous rate of water that will be used? 448.8
(The fees for your application will be based on this amount.)

D. Period of Use

Indicate the time of year you propose to use the water: Year-round
(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1-October 31.)

E. Acreage

If you will be applying water to land, indicate the total number of acres where water will be applied or used: 2750
(This number should be consistent with your application map.)

5. WATER MANAGEMENT**A. Diversion**

What method will you use to divert water from the source?

- ☒ Pump (give horsepower and pump type): 25 hp submersible pump in the well
☒ other means (describe): 3,000 gallon tank at the well, 5 hp booster pump at the tank, 50 hp pump at the transfer point

B. Transport

How will you transport water to your place of use?

- ☐ Ditch or canal (give average width and depth):

Width _____ Depth _____

Is the ditch or canal to be lined? ☐ Yes ☐ No

- ☒ Pipe (give diameter and total length):

Diameter 6" flexible hose Length 5,545'

- ☐ other, describe: _____

RECEIVED

JAN 19 2010

WATER RESOURCES DEPT
SALEM, OREGON

C. Application/Distribution Method

What equipment will you use to apply water to your place of use?

A wash plant capable of separating gold from gravel at the rate of 100 cubic yards per hour will be used. The plant uses and reuses, approximately 1,300 gpm of wash water. Approximately 120 gpm of additional well water will be needed for make-up water and processing of concentrates.

Irrigation or land application method (check all that apply):

- | | | |
|--|--|---|
| ☐ Flood | ☐ High pressure sprinkler | ☐ Low pressure sprinkler |
| ☐ Drip | ☐ Water Cannons | ☐ Center pivot system |
| ☐ Hand Lines | ☐ Wheel Lines | |
| ☐ Siphon tubes or gated pipe with furrows | | |
| ☒ other, describe: <u>Trommel and sluice system with settling/recycling ponds.</u> | | |

Distribution method

- | | | |
|---|--|-------------------------------------|
| ☒ Direct pipe from source | ☒ In-line storage (tank or pond) | ☐ Open Canal |
|---|--|-------------------------------------|

E. Conservation

What methods will you use to conserve water? Why did you choose this distribution or application method? Have you considered other methods to transport, apply, distribute or use water? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

The 6" flexible hose will help conserve water which would be lost to seepage and evaporation in an open ditch. Settling/recycling ponds are lined to minimize seepage, and process water has sediment settled out in a series of ponds, then the water is recycled back to the wash plant.

6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

Proposed date construction will begin: Existing well, construction began 7-12-80

Proposed date construction will be completed: Well was completed 8-14-80

Proposed date beneficial water use will begin: 2010 or when the permit is issued

Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars) ☐ Yes ☒ No

7. REMARKS

If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.

See Attached clarification of Property Ownership; clarification of Section 4, Water Use, B,C,D; and clarification of Section 5 Water Management, B,C

Ground Water/5

G-17299

RECEIVED

JAN 19 2010

WATER RESOURCES DEPT
SALEM, OREGON

8. MAP REQUIREMENTS

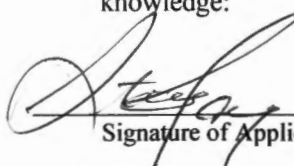
The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

9. SIGNATURE

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

I swear that all information provided in this application is true and correct to the best of my knowledge:

 Agent for Three Valleys Ranch LLC 1-11-2010
Signature of Applicant (If more than one applicant, all must sign.) Date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at www.wrd.state.or.us or call (503) 986-0900.

WRD on the web:
www.wrd.state.or.us

Ground Water/6

617299

RECEIVED

JAN 19 2010

WATER RESOURCES DEPT
SALEM, OREGON

Remarks

2. Property Ownership

The Three Valleys Ranch property is "encumbered" by the Basin Creek and Willow Creek County roads.

The well is existing and is located approximately 325 feet north and 246 feet west of the SE corner of Section 6. The place of beneficial use is described as being situated in Malheur County in Section 5 S1/2,SE1/4; Section 6 S1/2; Section 7 Lots 1,2,3,4, W1/2,SE1/4, and SE1/4,SE1/4, and E1/2,W1/2, and NE1/4; Section 8 Lots 1,2,3,4,5,6, SE1/4,SW1/4, and E1/2; all of Section 17; all of Section 18, in Township 14 South, Range 42 East, Willamette Meridian.

4. Water Use

B. Amount of Water:

Initial filling of primary plant ponds will be 3,456,000 gallons.

Primary plant ponds will be drained and refilled at least twice during the season; resulting in the need for an additional 7,000,000 gallons.

Final recovery process will use 120 gpm, which then is used as make-up water in the primary process ponds in the amount of 12,960,000 gallons per year (72,000 gallons per day X180 days).

Total water use will be approximately 29,464,000 gallons (90.42 AF)

C. Maximum Rate of Use Requested

The 3,000 gallon tank will be quickly filled each day with 448.8 gpm of well water, which will take about seven minutes.

D. Period of Use

During the 4 months of the year when weather conditions prevent mining and operation of the primary processing unit, 120 gpm of water will still be needed to supply the final recovery process (84 daysX72,000 or 6,048,000 gallons. Final recovery will take place during the mining season in the open, adjacent to the primary process ponds, and during the winter months, final recovery will take place utilizing a portable, climate controlled unit.

5. Water Management

B. Transport

The well elevation is 3533, the transfer pond elevation is 3500. A 5 hp booster pump at the 3,000 gallon tank, combined with gravity flow will transfer approximately 300 gpm of water from the tank into a 6" flexible hose approximately 5545 feet in length which terminates at the transfer point. There is sufficient room on Three Valleys Ranch property between the Vaden private land and public land (area is approximately 150 feet wide) to lay the 6 inch hose without encroaching on the Vaden property or on public land.

A 50hp pump is used to transfer the water from the transfer point (elevation 3500) up to the processing site (elevation 3670). The transfer will be by means of a 6" flexible pipe approximately 1332 feet long. When mining is completed east of Basin Creek, mining will begin west of Basin Creek. Portable wash plants can be moved, and all areas on the property can have water put to beneficial use using this same method of water transfer.

C. Application/Distribution Method

The ponds have a capacity of approximately 3,456,000 gallons of water (3/4 acre in ponds, approximately 8 feet deep).

Filling these ponds will take 11520 minutes, 192 hours, or close to 8 days, if the pumps run 24 hours/day.

After the ponds are full, approximately 120 gpm (7,200/hr, 72,000 gallons per 10 hour day) will be pumped continually to the processing site for use in the final recovery process, then discharged into the recycling ponds where it is used as make-up water. This replaces loses due to evaporation and seepage.

RECEIVED

Three Valleys' Well

G-17299

JAN 19 2010

1

WATER RESOURCES DEPT
SALEM, OREGON



Oregon Water Resources Department

FORM R FOR WATER USED FOR MINING PURPOSES

1. What type of mining operation is planned?

- ☐ Aggregate ☐ Industrial Minerals ☒ Placer
☐ Metal (flotation processing) ☐ Metal (chemical processing - heap leach)
☐ Other (Specify) _____

2. What are the proposed uses of water?

- ☒ Gravel washing ☐ Dewatering ☒ Make-up for ^{placer wash plant} milling operation
☐ Heap leach ☒ Dust control ☐ Domestic
☐ Other (Specify) _____

3. Does the mine operation require dewatering?

- ☒ No (Skip to question no. 4) ☐ Yes

At what rate will the water be produced? _____ ☐ gpm ☐ cfs

How will the water be discharged? ☐ Recirculated ☐ Off-site

4. Will ponds or dams be constructed?

- ☒ No (Skip to question no. 5) ☐ Yes

Approximate pond depth: _____ Depth to ground water: _____ Amount stored: _____

5. Will a pond (or ponds) be left after reclamation has been completed?

- ☒ No (Skip to question no. 6) ☐ Yes List information for each pond.

Source: _____ Use: _____ Size: _____ Depth: _____

Use the reverse side of this form for additional ponds.

6. Will monitoring or observation wells be constructed on site?

- ☒ No (Skip to question no. 7) ☐ Yes How many? _____

Label these well locations on your permit application map.

7. Attach a copy of the map submitted to the Department of Geology and Mineral Industries (DOGAMI) showing locations of all intermittent water courses, perennial streams, springs, wet-

See attached DOGAMI map. Also, A copy of permit G-14227 is enclosed for WRD convenience. Well No 4, which is described in this permit, has not been drilled. Since there is no well located in the NW1/4, NW1/4 of Section 8, this well location is not depicted on the map.

RECEIVED

JAN 19 2010

WATER RESOURCES DEPT
SALEM, OREGON

1996

G 17299

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report
are to be filed with the

WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date
of well completion.

MALH 56
WATER WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

malh-056

Malh

056

State Well No. 145/42E-6 ad

State Permit No.

(1) OWNER:

Name Jack Hostick

Address General Delivery

Brogan, Or. 97903

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☐ Driven ☐

Cable ☒ Jetted ☐

1 ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☒ Industrial ☐ Municipal ☐

Irrigation ☐ Test Well ☐ Other ☐

(5) CASING INSTALLED:

Threaded ☐ Welded ☒

10" Diam. from +1 ft. to 141 ft. Gage 250

" Diam. from ft. to ft. Gage

" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? ☒ Yes ☐ No.

Type of perforator used Factory

Size of perforations 1/8 in. by 3 in.

8 ROW perforations from 117 ft. to 141 ft.

perforations from ft. to ft.

perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name

Type Model No.

Diam. Slot size Set from ft. to ft.

Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom? Driller

Yield: 38 gal./min. with 25 ft. drawdown after 3 hrs.

" " " " "

" " " " "

Bailer test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m.

Temperature of water 61 Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used Portland Cement

Well sealed from land surface to 20 ft.

Diameter of well bore to bottom of seal 14 in.

Diameter of well bore below seal 10 in.

Number of sacks of cement used in well seal 19 sacks

How was cement grout placed? with grout pump

Was a drive shoe used? ☒ Yes ☐ No Plugs Size: location ft.

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? depth of strata

Method of sealing strata off

Was well gravel packed? ☐ Yes ☒ No Size of gravel:

Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Malheur Driller's well number

SE 1/4 NE 1/4 Section 6 T. 14S R. 42E W.M.

Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 8 ft.

Static level 8 ft. below land surface. Date 7/13/80

Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 10"

Depth drilled 250 ft. Depth of completed well 247 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Topsoil, medium sand & gravel	0	6	
Clay, brown, small cobbles	6	12	8
Clay, hard, brown	12	30	8
Clay, brown, w/ med. gravel	30	65	8
Gravel, medium, hard	65	75	8
Clay, brown	75	115	8
Sand, medium & gravel, water-bearing	115	137	85
Clay, hard, brown w/ sm. cobbles	137	175	85
Clay, brown	175	250	85

SEP 10 1980

WATER RESOURCES DEPT
SALEM, OREGON

Work started 7/12 19 80 Completed 8/14 19 80

Date well drilling machine moved off of well 8/14 19 80

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] Herbert H. Bowman Date Aug 20, 1980
(Drilling Machine Operator)

Drilling Machine Operator's License No. 1404

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name PIONEER WATER DEVELOPMENT, INC.
(Person, firm or corporation) (Type or print)

Address Rt. 3 Box 493 Ontario, Or. 97914

[Signed] (Water Well Contractor)

Contractor's License No. 748 Date 9-5 1980

RECEIVED

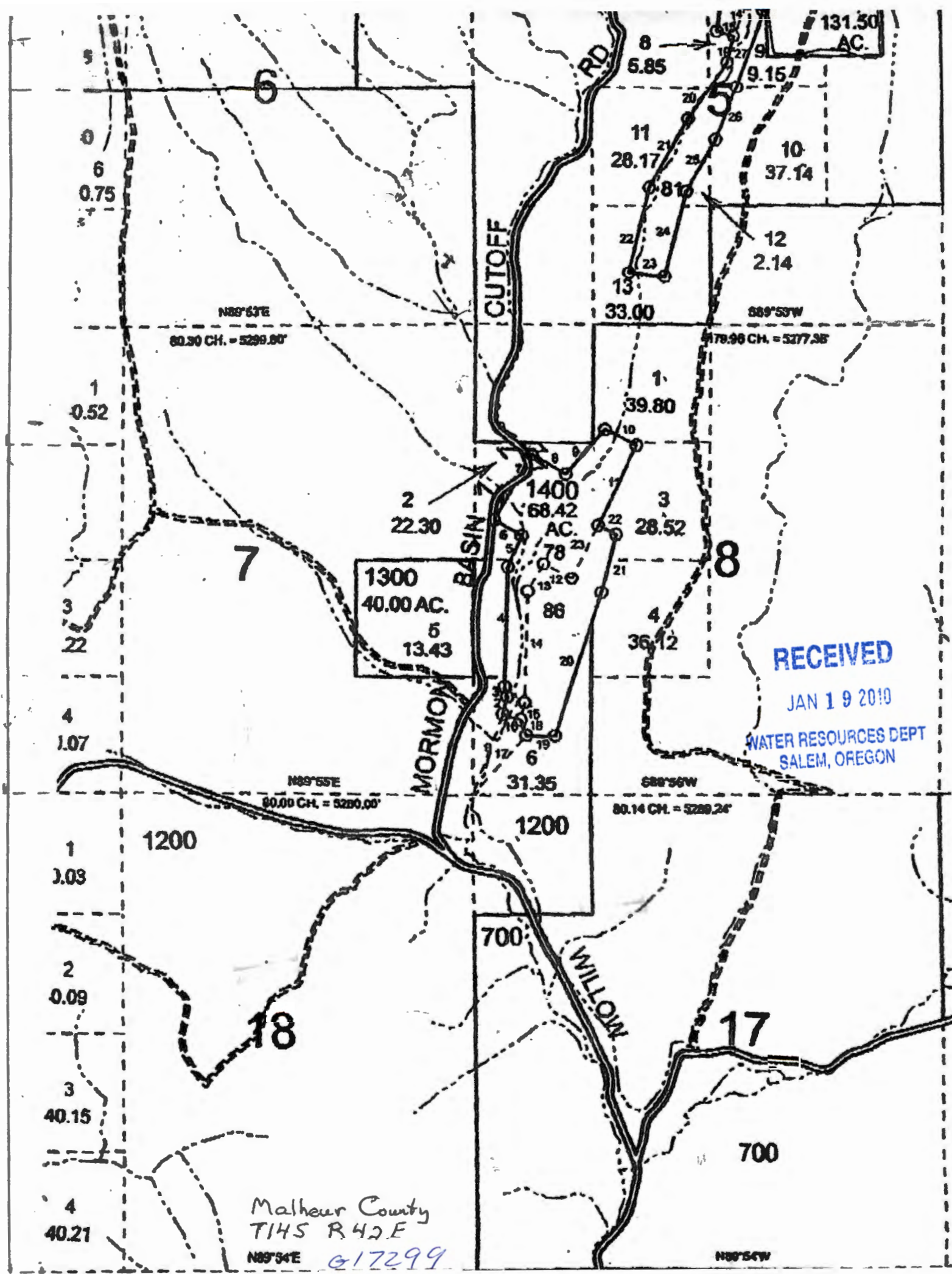
JAN 19 2010

(USE ADDITIONAL SHEETS IF NECESSARY)

WATER RESOURCES DEPT
SALEM, OREGON

SP-45008-119

6-17299



RECEIVED

JAN 19 2010

WATER RESOURCES DEPT
SALEM, OREGON

Malheur County
T14S R42E
N89°54'E 617299

DOGAMI Maps
Three Valleys Ranch Mine
DOGAMI PERMIT # 23-0269

William R. Darden, PE

8/21/2009



1318 S.W. Westgate Dr. • Suite 32 • Portland, OR 97221
(503) 237-8400 • FAX (503) 237-8433

RECEIVED

JAN 19 2010

**WATER RESOURCES DEPT
SALEM, OREGON**

G17299

STATE OF OREGON
COUNTY OF MALHEUR

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

KENNETH CASPER
812 7TH ST. S
NAMPA, ID 83651

PHONE: (208)466-8333

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

APPLICATION FILE NUMBER: G-14227

SOURCE OF WATER: FOUR WELLS, IN THE WILLOW CREEK BASIN

PURPOSE OR USE: MINING

MAXIMUM RATE: 1.0 CUBIC FOOT PER SECOND

PERIOD OF USE: YEAR ROUND

DATE OF PRIORITY: DECEMBER 21, 1995

POINT OF DIVERSION LOCATION: NW 1/4 SE 1/4, SECTION 29, SW 1/4 SE 1/4, SECTION 31, SE 1/4 NE 1/4, SECTION 32, T13S, R42E, W.M., AND NW 1/4 NW 1/4, SECTION 8, T14S, R42E, W.M.; WELL 1 - 6800 FEET NORTH AND 3450 FEET EAST, WELL 2 - 3500 FEET NORTH AND 4500 FEET EAST, AND WELL 3 - 300 FEET NORTH AND 2550 FEET WEST, ALL FROM THE SE CORNER OF SECTION 31; WELL 4 - 500 FEET SOUTH AND 5000 FEET WEST FROM NE CORNER OF SECTION 8

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NE 1/4 NE 1/4
NW 1/4 NE 1/4
SW 1/4 NE 1/4
SE 1/4 NE 1/4
NE 1/4 SE 1/4
NW 1/4 SE 1/4
SW 1/4 SE 1/4
SE 1/4 SE 1/4
SECTION 29

ALL
SECTION 31

NE 1/4 NE 1/4
NW 1/4 NE 1/4
SW 1/4 NE 1/4
SE 1/4 NE 1/4
NE 1/4 SE 1/4

Application G-14227 Water Resources Department

PERMIT G-13450

RECEIVED

JAN 19 2010

WATER RESOURCES DEPT
SALEM, OREGON

G-17299

Three Willows Ranch

NW 1/4 SE 1/4
SW 1/4 SE 1/4
SE 1/4 SE 1/4

SECTION 32

TOWNSHIP 13 SOUTH, RANGE 42 EAST, W.M.

SE 1/4 NE 1/4
NE 1/4 NW 1/4
NW 1/4 NW 1/4
SW 1/4 NW 1/4
SE 1/4 NW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4
SE 1/4 SW 1/4
NE 1/4 SE 1/4
NW 1/4 SE 1/4

SW 1/4 SE 1/4

SECTION 5

NE 1/4 NE 1/4
SE 1/4 NE 1/4
NE 1/4 SE 1/4
SE 1/4 SE 1/4

SECTION 6

NE 1/4 SE 1/4

SECTION 7

NE 1/4 NW 1/4
NW 1/4 NW 1/4
SE 1/4 NW 1/4
NE 1/4 SW 1/4

SECTION 8

TOWNSHIP 14 SOUTH, RANGE 42 EAST, W.M.

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.
- B. The permittee 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.
- C. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may

Application G-14227 Water Resources Department

PERMIT G-13450

RECEIVED

JAN 19 2010

WATER RESOURCES DEPT
SALEM, OREGON

G17799

Three Valleys Ranch

require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

If substantial interference with a senior water right occurs due to withdrawal 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.

Groundwater shall not be produced from any unconfined alluvial aquifer.

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

Any effluents or return flows from use under this permit shall not interfere with other beneficial uses of water.

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

STANDARD CONDITIONS

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.

Application G-14227 Water Resources Department

PERMIT G-13450

RECEIVED

JAN 19 2010

WATER RESOURCES DEPT
SALEM, OREGON

G-17299

Three Valleys Ranch

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.

Actual construction of the well shall begin within one year from permit issuance. Complete application of water to the use shall be made on or before October 1, 2002. 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 August 12, 1998

Martha O. Pagel for
 Martha O. Pagel, Director
 Water Resources Department

Application G-14227
 Basin 10
 RWK

Water Resources Department
 Volume 2 BASIN CR & MISC
 MGMT.CODES 7BG 7BR 7IG 7IR

PERMIT G-13450
 District 9

RECEIVED

JAN 19 2010

WATER RESOURCES DEPT
 SALEM, OREGON



G 17299

Three Valley Ranch

27 APR 1998

page 2 of 2

EXHIBIT "A"

PARCEL B:

INSTRUMENT 98-3128
PAGE 3 OF 3 PAGES

Land in Malheur County, Oregon, as follows:

In Twp. 14 S., R. 41 E., W.M.:

Sec. 12: SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, AND a parcel of land described as follows:

Beginning at a point 500 feet West of the Southeast corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 12;
thence East 500 feet to the southeast corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$;
thence North 700 feet;
thence Southwesterly to the place of beginning.

Sec. 13: E $\frac{1}{2}$, AND a part of land described as follows:
Beginning at the Northeast corner of the NW $\frac{1}{4}$ of Sec. 13;

thence South on the quarter line, 1620 feet;
thence at right angles West 500 feet;
thence Northeasterly to the point of beginning.

Sec. 24: NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$.

In Twp. 14 S., R. 42 E., W.M.:

Sec. 3: SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$.

Sec. 4: S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$.

Sec. 5: S $\frac{1}{2}$ SE $\frac{1}{4}$.

Sec. 6: S $\frac{1}{2}$.

Sec. 7: Lots 1, 2, 3, 4, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, NE $\frac{1}{4}$.

Sec. 8: Lots 1, 2, 3, 4, 5, 6, SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$.

Sec. 9: All.

Sec. 10: W $\frac{1}{2}$ W $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$.

Sec. 11: N $\frac{1}{2}$ S $\frac{1}{2}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.

Sec. 14: N $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$.

Sec. 15: All.

Sec. 16: All.

Sec. 17: All.

Sec. 18: All.

Sec. 19: Lot 1, NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$.

Sec. 20: NE $\frac{1}{4}$ NE $\frac{1}{4}$.

Sec. 21: NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$.

* * *

RECEIVED

JAN 19 2010

WATER RESOURCES DEPT
SALEM, OREGON

2321 Chestnut Drive
Bloomfield Hills, MI 48304
Owner's Name and Address
Hammond Ranch #2, LLC
2321 Chestnut Drive
Bloomfield Hills, MI 48304
Buyer's Name and Address
Also recording return to Blom, Adams, Ely
Tom Hammond
2321 Chestnut Drive
Bloomfield Hills, MI 48304
That required otherwise land will not be returned to Blom, Adams, Ely
Tom Hammond
2321 Chestnut Drive
Bloomfield Hills, MI 48304

98-3128
STATE REGISTER
FOR
RECORDING USE

STATE OF OREGON,

County of **MALHEUR**

I certify that the within instrument was required for record on the 27 day of April, 1998, at 10:22 o'clock A.M., and recorded in book/real/volume No. on page or as fee/file/instrument/microfilm/reception No. 98-3128 Record of Deeds of said County.

Witness my hand and seal of County official.

DEBORAH R. DeLONG, Clerk

617299

11/16/2009: 1/4 1/4 corrected at present landowner request; current tax lot information added.
The well inspector in Baker City watermaster office has verified 1/4 1/4; GPS reading done by
well inspector in Baker City office.

617299

RECEIVED

JAN 19 2010

WATER RESOURCES DEPT
SALEM, OREGON

Laurie Norton

From: Bob Maynard
Sent: Monday, November 16, 2009 12:03 PM
To: Laurie Norton
Subject: MALH 056

Hi Laurie, have a little update on a well location that the landowners want. They are applying for water rights out of this well so they want it in the right 1/4. The well is MALH 056 and they show it in the SE of the NE, but it is really in the SE of the SE. I have personally been to the well and not only GPS it, but videoed the well to make sure that it matched the well log, which it does. The well is now owned by Hammond Ranch #2 and is in 14S, 42E, sec 6, SE of SE in tax lot 1200. The GPS is N 44.37270 W -117.61150. If you could include this with the original well log it would be appreciated, if you have any questions please ask, thanks Bob

11/16/2009

617299

RECEIVED

JAN 19 2010

WATER RESOURCES DEPT
SALEM, OREGON

For Official Use Only by The Oregon Water Resources Department:

Received Date: _____

County Well Log ID #

Well Identification Tag #

MALH 056

L95124

APPLICATION FOR WELL IDENTIFICATION TAG

LANDOWNER INFORMATION

Name: Steve Jay Agent for Three Valleys Ranch

Mailing Address: PO Box 5075

City: Bridgeport State: OR Zip: 97819

Return Well Tag to (if different than mailing address): N/A

WELL LOCATION INFORMATION

County: Malheur Township: 145 North or South (circle one) Range: 42 E East or West (circle one),

Section: 6 SE 1/4 SE 1/4 Tax Lot #: 1200

N 44.37270

W-117.61150

Street Address of Well (if different than mailing address): Monmon Basin Creek

County Road

WELL INFORMATION (Do Not Complete If Well Report is Attached)

Type of Well (i.e. domestic, irrigation, etc): _____ Date Well Constructed: _____

Well Constructor/Company: _____

Well Depth (in feet): _____ Diameter of Well Casing (in inches): _____

Landowner Who Had Well Constructed or Previous Owner at the Time Well was Constructed (if known): _____

Other Information: _____

RECEIVED

JAN 19 2010

**WATER RESOURCES DEPT
SALEM, OREGON**

Return to: Oregon Water Resources Department, Janet Halladey, 725 Summer St. NE, Suite A, Salem,
OR 97301-1271, (503) 986-0854 or fax to 503-986-0902

App for tag

617299



Oregon Water Resources Department Land Use Information Form

Three Valleys Ranch

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: Thomas Hammond (Three Valleys Ranch, LLC)
First Last
Mailing Address: P.O. Box 5075
Bridgeport, OR 97819 Daytime Phone: 541-446-3436
City State Zip

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:			Proposed Land Use:
14S	42E	6	SE-SE	1200	Rangeland	☒ Diverted	☒ Conveyed	☒ Used	mining
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used:

Malheur

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- ☒ Permit to Use or Store Water ☐ Water-Right Transfer ☐ Exchange of Water
☐ Allocation of Conserved Water ☐ Limited Water Use License
☐ Permit Amendment of Ground Water Registration Modification

Source of water: ☐ Reservoir/Pond ☒ Ground Water ☐ Surface Water (name) _____

Estimated quantity of water needed: 260 ☐ cubic feet per second ☒ gallons per minute ☐ acre-feet

Intended use of water: ☐ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-municipal ☐ Instream ☒ Other Mining

Briefly describe:

Malh056 is an existing well drilled in 1980 by Jack Hostick Well Drilling, however no water right was ever filed on this well. The plan is to obtain a permit from OWRD, then put the water to beneficial use on Three Valleys private land and mining claims in Sections 17, 20 and 21 in Mormon Basin. In future years, the water will be used on other adjacent areas. A Conditional Use Permit was originally issued by Malheur County to Sumpter Gold Dredge for mining. This permit was transferred to BP Gold in 2008, and was transferred to Mineral Valley, LLC this week. Use of the water from this well will mean less mining water will be needed from the Mormon Basin streams and from Basin Creek.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt below and include it with the application filed with the Water Resources Department.

Receipt for Request for Land Use Information

State of Oregon Water
Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

RECEIVED

JAN 19 2010

WATER RESOURCES DEPT
SALEM, OREGON

617299

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form.

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): MCC Art 6
- ☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)
- If approvals have been obtained but all appeal periods have not ended, check "Being pursued".**

Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: Jon D. Beal Title: Planning Director

Signature: Jon P Beal Phone: 541-473-5185 Date: 11-23-09

Government Entity: Malheur Co

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

RECEIVED

Applicant Name: _____ JAN 19 2010

City or County: _____ Staff Contact: _____ WATER RESOURCES DEPT

Signature: _____ Phone: _____ Date: _____ SALEM, OREGON

G17299

Business Registry Business Name Search

New Search

Business Entity Data

06-06-2009

06:55

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Duration Date	Renewal Date
452360-98	DLLC	ACT	OREGON	07-25-2007		07-25-2009
Entity Name	THREE VALLEYS RANCH, LLC					
Foreign Name						

This Business Entity is due for renewal and can be renewed online using



or



Online Renewal Instructions:

1. Please verify **all information is correct.**
2. To change your business's information, use this form: [PDF](#)
3. Then [Renew Online](#)

New Search

Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS		
Addr 1	22141 BRIDGEPORT LANE			
Addr 2				
CSZ	BRIDGEPORT	OR	97819	Country UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT	Start Date	07-25-2007	Resign Date	
Name	STEVE	JAY				
Addr 1	22141 BRIDGEPORT LN					
Addr 2						
CSZ	BRIDGEPORT	OR	97819	Country	UNITED STATES OF AMERICA	

Type	MAL	MAILING ADDRESS		
Addr 1	PO BOX 5075			
Addr 2				
CSZ	BRIDGEPORT	OR	97819	Country UNITED STATES OF AMERICA

Type	MGR	MANAGER		Resign Date	
Name	THOMAS	HAMMOND			
Addr 1	5151 CORPORATE DR				
Addr 2					

RECEIVED

JAN 19 2010

WATER RESOURCES DEPT
SALEM, OREGON

G17299

January 11, 2010

WRD
North Mall Office Building
725 Summer Street, NE, Suite A
Salem, OR 97301-1266

Re: Three Valley Ranch, LLC, Application for a Groundwater Water Right

Dear Sir:

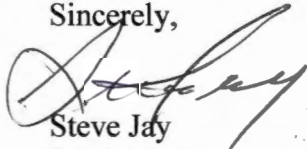
Enclosed please find an application with original signature, attachments to the application, a map, a copy of the deed showing ownership of the lands where water will be used, Supplemental Form "R", complete with DOGAMI maps, the well log and a LUC form signed by Malheur County Planning officials.

Also enclosed is a check in the amount of \$1,000.00 (One Thousand Dollars) to cover the \$500.00 base fee, the \$200.00 fee for one CFS, and the \$300.00 recording fee.

Attached to Form "R" you will find a copy of Permit G-14227. As information, there is no well in the NW1/4, NW1/4 of Section 8, Township 14 South, Range 42 East, W.M. Thus, no well is shown on the maps.

Jan Alexander is my permit writer, and I would appreciate it if you would contact her with any questions. Her address is P.O. Box 153, Unity, OR 97884 and her phone number is 541-446-3413.

Sincerely,



Steve Jay
Registered Agent for Three Valleys Ranch, LLC
P.O. Box 5075
Bridgeport, OR 97819
541-446-3436

Enclosures

Cc: Jan Alexander

RECEIVED

JAN 19 2010

WATER RESOURCES DEPT
SALEM, OREGON

G-17299

Standard Application Completeness Checklist

Minimum Requirements (OAR 690-310-0040)(ORS 537.400)

This is the checklist used by WRD staff Application

Application ✓ Township T14S R42E
Priority Date _____ Range R42E
Use(s) Mining Section Well Sec. 6, Beneficial use
Rate 448.8 POD Loc ✓
County Malheur POU Loc ✓
W.M. ✓ Caseworker _____

- ☒ Applicant/Organization Name, Mailing Address and Telephone Number.
- ☒ Source of water. If stored water, is the stored water component filed out, including a non-expired agreement for stored water must be included. (ORS 537.400) **NOTE:** A surface water application cannot be filed at the same time as a Reservoir or Alt Reservoir if it will be for the use of the stored water under the PROPOSED Reservoir application (E2).
- ☐ The proposed source is or is not (circle one) withdrawn from further appropriation, or Division 538. If it is return application and fees.
- ☒ Property ownership indicated. Three Valleys Ranch
 - ☐ If applicant does not own all the land, the affected landowners name and mailing address must be listed. N/A
 - ☐ If applicant does not own all the land, a statement declaring the existence of either written authorization or an easement permitting access to land crossed by the proposed ditch canal or other work must be submitted. N/A
- ☒ Groundwater development section (Page 3 and 4, Section B) or a well log report.
- ☒ Proposed use of water. If supplemental, list primary water right acreage if applicable.
- ☐ Enclosed Supplemental Form for each proposed use.
 - ☐ Form I (Irrigation)
 - ☐ Form M (Municipal or Quasi-Municipal)
 - ☒ Form R (Mining)
 - ☐ Form Q (Commercial or Industrial)
 - ☐ Spring Description Sheet
- ☒ Amount of water from *each* source in gallons per minute (GPM), cubic feet per second (CFS), or acre feet (AF)
- ☒ Period of use
- ☒ Water management section (Please estimate if the water system has not been designed).

RECEIVED

JAN 19 2010

WATER RESOURCES DEPT
SALEM, OREGON

G-17299

☒ Resource Protection Section (Page 6, Section 5).

☒ Project schedule (If system is already completed, indicate "existing").

☐ For reservoir applications storing more than 9.2 acre feet, and a dam height of more than 10 feet, preliminary plans and specifications for dam and impoundment are required. *N/A*

☐ If the above is statement is checked, the map must be prepared by a CWRE. *N/A*

☒ All applicants (or the authorized agent with title or authority if for an organization or corporation), must sign the application in ink. *Signature must be an original "wet" signature.*

☐ You must include a Legal description of the property involved that includes a metes and bounds, or other government survey description. A copy of the deed, land sales contract or title insurance policy can provide this information, or you may submit a lot book report prepared by a title company. The Department will not accept a copy of the tax bill.

☒ A completed Land-Use Form or receipt signed and dated by the appropriate planning department officials. *Date of signature must be within the past 12 months. Signature must be an original "wet" signature.*

☒ The map must meet all the minimum requirements of OAR 690-310-0050.

☒ Township, Range, Section

☒ Location of main canals, ditches, pipelines or flumes (if POA/POD is outside of POU)

☒ Place of use, 1/4, 1/4s and tax lot clearly identified

☒ Even map scale not less than 4" = 1 mile (example: 1" = 100 ft, 1" = 200 ft, etc.)

☒ Location of each diversion point well or dam by reference to a recognized public land survey corner

☒ North Directional Symbol

N/A ☒ Number of acres per 1/4, 1/4, if irrigation, nursery, or agriculture

☐ Other _____

☒ Reference corner on map

☒ Each point of diversion coordinate

☐ Fees: Amount of water requested 1 CFS

Base Fee \$ 500

Additional Use @ _____ = _____

1st CFS/AF \$ 200

Recording
~~Total Exam~~ Fees \$ 300.00

___ Addtn'l CFS/ AF @ _____ = _____

Total Paid \$ 1,000.00

___ Addtn' POD @ _____ = _____

Amount Due \$ _____

Reviewed by: *Jan Alexander*
Permit Writer

Date : 1-11-2010

RECEIVED

JAN 19 2010

WATER RESOURCES DEPT
SALEM, OREGON

G-17299

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT #

99057

INVOICE #

RECEIVED FROM:

Three Valley's Ranch, LLC

BY:

APPLICATION

G17299

PERMIT

TRANSFER

CASH:

CHECK:#

OTHER: (IDENTIFY)

☐

☒ 2014

☐

TOTAL REC'D

\$650.00

1083 TREASURY

4170 WRD MISC CASH ACCT

0407 COPIES

\$

OTHER:

(IDENTIFY)

\$

0243 I/S Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

TC162 DEPOSIT LIAB. (IDENTIFY)

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE

\$

0202

\$

0203 GROUND WATER

\$ 250.00

0204

\$ 400.00

0205 TRANSFER

\$

WELL CONSTRUCTION

EXAM FEE

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER

(IDENTIFY)

0536 TREASURY

0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER

(IDENTIFY)

0607 TREASURY

0467 HYDRO ACTIVITY

LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

TREASURY

OTHER / RDX

FUND

TITLE

OBJ. CODE

VENDOR #

DESCRIPTION

\$

RECEIPT:

99057

DATED:

1-25-10

BY:

LTA

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT #

99012

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE #

RECEIVED FROM:

Three Valleys Ranch,
LLC

BY:

APPLICATION

17299

PERMIT

TRANSFER

CASH:

CHECK:#

OTHER: (IDENTIFY)

☐☐

2999

☐

TOTAL REC'D

\$ 1,000.00

1083 TREASURY

4170 WRD MISC CASH ACCT

0407 COPIES

\$

OTHER: (IDENTIFY)

\$

0243 I/S Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

46111

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

TC162 DEPOSIT LIAB. (IDENTIFY)

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

EXAM FEE

RECORD FEE

0201 SURFACE WATER

\$

0202

\$

0203 GROUND WATER

\$ 1000.00

0204

\$

0205 TRANSFER

\$

WELL CONSTRUCTION

EXAM FEE

LICENSE FEE

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY)

0536 TREASURY

0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY)

0607 TREASURY

0467 HYDRO ACTIVITY

LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

TREASURY

OTHER / RDX

FUND TITLE

OBJ. CODE VENDOR #

DESCRIPTION

\$

RECEIPT:

99012

DATED:

1-19-10

BY:

AR



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301
(503) 986-0900
www.wrd.state.or.us

Request for Assignment By Proof of Ownership (If Water Right Holder is Not Available)

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

If for multiple rights, a separate form and fee for each right will be required.

I, The Questus Fund, L.P., Will Reishman, General Partner
(Name of Party Requesting Assignment)
228 E. Main St., Ste 2D Medford OR 97501 541-
(Mailing Address) (City) (State) (Zip) (Phone #) 200-629

- ☒ hereby request assignment of an entire application/permit/transfer/limited license/groundwater statement; hereby request
☐ assignment of a portion of application/permit/transfer/limited license/groundwater statement; (You must include a map
showing the portion of the application/permit/transfer/limited license/groundwater statement
to be assigned.)

Application # 6-17299; Permit # 6-16822; Transfer # _____;

Limited License # _____; Groundwater Statement # _____;

Three Valleys Ranch LLC
(Name of Current Holder of Record)
P.O. Box 5075 Bridgeport OR 97619 contact: Steve Ja
(Mailing Address) (City) (State) (Zip) (Phone #) 541-446-3436

Note: Write the initials (first letters) of your first and last names at the spots indicated below WR

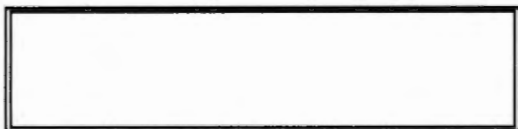
- 1) WR I certify that I am the current owner of the property described in this application, permit, transfer order, limited license, or groundwater statement. I have attached proof of ownership that may include but not be limited to: a copy of the deed to the land, a copy of a land sales contract, a court order or decree, documentation of survivorship of property held jointly. The Department cannot accept a copy of a tax statement.
- 2) _____ I have the legal right to request assignment under OAR 690-310-0280 and 690-320-0060.
- 3) _____ I have not been able to contact the owner(s) of record for the above referenced transaction. I have attached proof acceptable to the Department that notice of the assignment has been given or attempted for each identified property owner not a party to the assignment. ORS 537.220(2) Failure to submit this proof will result in the return of your request. (Proof may include but not be limited to: a copy of returned certified mailing, copy of a Death Certificate, or a court order.)
- 4) _____ I further certify that the information provided herein is true and correct to the best of my knowledge.

Witness my hand this 26th day of January, 20 21.
(Day) (Month) (Year)

Signature of Party Requesting Assignment Will Reishman

Failure to provide any of the required information will result in the return of your application.

DO NOT WRITE IN THIS BOX



The completed "Request for Assignment" form must be submitted to the Department along with the recording fee of \$100.

RECEIVED

JAN 27 2021

OWRD

Business Registry Business Name Search

[New Search](#)

Business Entity Data

01-26-2021

10:54

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
492720-99	DLP	ACT	OREGON	01-24-2008	01-24-2022	
Entity Name	THE QUESTUS FUND LIMITED PARTNERSHIP					
Foreign Name						

RECEIVED

JAN 27 2021

[New Search](#)

Associated Names

OWRD

Type	ORK	RECORDS OFFICE			
Addr 1	228 EAST MAIN ST				
Addr 2	SUITE 2D				
CSZ	MEDFORD	OR	97501	Country	UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT	Start Date	05-22-2017	Resign Date	
Name	WILLIAM	REISHMAN				
Addr 1	228 EAST MAIN ST					
Addr 2	SUITE 2D					
CSZ	MEDFORD	OR	97501	Country	UNITED STATES OF AMERICA	

Type	MAL	MAILING ADDRESS			
Addr 1	228 EAST MAIN ST				
Addr 2	SUITE 2D				
CSZ	MEDFORD	OR	97501	Country	UNITED STATES OF AMERICA

Type	GNP	GENERAL PARTNER		Resign Date	
Of Record	490358-92	GRAIL INVESTMENTS, LLC			
Addr 1	228 EAST MAIN ST				
Addr 2	SUITE 2D				
CSZ	MEDFORD	OR	97501	Country	UNITED STATES OF AMERICA

[New Search](#)

Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
THE QUESTUS FUND LIMITED PARTNERSHIP	EN	CUR	09-19-2008	
THE GRAIL FUND LIMITED PARTNERSHIP	EN	PRE	01-24-2008	09-19-2008

Please [read](#) before ordering [Copies](#).

New SearchSummary History

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	AMENDED ANNUAL REPORT	01-22-2021		FI		
	AMENDED ANNUAL REPORT	01-22-2020		FI		
	AMENDED ANNUAL REPORT	01-09-2019		FI		
	AMENDED ANNUAL REPORT	02-13-2018		FI		
	AMNDMT TO ANNUAL RPT/INFO STATEMENT	05-22-2017		FI	Agent	
	AMENDED ANNUAL REPORT	01-09-2017		FI		
	AMENDED ANNUAL REPORT	01-12-2016		FI		
	AMENDED ANNUAL REPORT	12-22-2014		FI		
	AMENDED ANNUAL REPORT	01-13-2014		FI		
	ANNUAL REPORT PAYMENT	01-15-2013		SYS		
	AMNDMT TO ANNUAL RPT/INFO STATEMENT	10-22-2012		FI	Agent	
	ANNUAL REPORT PAYMENT	12-21-2011		SYS		
	ANNUAL REPORT PAYMENT	12-21-2010		SYS		
	ANNUAL REPORT PAYMENT	12-24-2009		SYS		
	AMENDED ANNUAL REPORT	02-25-2009		FI		
	CERTIFICATE OF AMENDMENT	09-19-2008		FI	Name	
	CERTIFICATE OF LIMITED PARTNERSHIP	01-24-2008		FI	Agent	

© 2021 Oregon Secretary of State. All Rights Reserved.

ED

JAN 27 2021

OWRD

AFTER RECORDING RETURN TO:

AmeriTitle
1501 E. McAndrews Rd
Medford, OR 97504
Attn: Kelli
ESCROW NO. AP0793276

Inst. No. 2010-3696
I certify that the within instrument of
writing was received for record on
the 17 day of June, 20 10
at 1:17 O'clock P. M. FEE 72.-
STATE OF OREGON, County of Malheur
DEBORAH R. DeLONG
County Clerk

Grantor:
Paul Vaden Family Trust
11545 SW Beef Bend Road, #63
Portland, OR 97224

Beneficiary:
The Questus Fund Limited Partnership
835 Alder Creek Drive, Suite A
Medford, OR 97504

RECEIVED

JAN 27 2021

OWRD

By: [Signature] Deputy

TD

TRUST DEED

ONM06295

THIS TRUST DEED, made on June 16, 2010, between **Paul Vaden, Trustee of the Paul Vaden Family Trust**, as Grantor, **AmeriTitle, an Oregon Corporation**, as Trustee, and **The Questus Fund Limited Partnership**, as Beneficiary,

WITNESSETH:

Grantor irrevocably grants, bargains, sells and conveys to trustee in trust, with power of sale, the property in **MALHEUR JACKSON** County, Oregon, described as:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

together with all and singular the tenements, hereditaments and appurtenances and all other rights thereunto belonging or in anywise now or hereafter appertaining, and the rents, issues and profits thereof and all fixtures now or hereafter attached to or used in connection with the property.

FOR THE PURPOSE OF SECURING PERFORMANCE of each agreement of grantor herein contained and payment of the sum of ****FOUR HUNDRED THOUSAND AND NO/100ths** Dollars, with interest thereon** according to the terms of a promissory note of even date herewith, payable to beneficiary or order and made payable by grantor, the final payment of principal and interest hereof, if not sooner paid, to be due and payable 12/16/2011.

The date of maturity of the debt secured by this instrument is the date, stated above, on which the final installment of said note becomes due and payable. In the event the within described property, or any part thereof, or any interest therein is sold, agreed to be sold, conveyed, assigned, or alienated by the grantor without first having obtained the written consent or approval of the beneficiary, then, at the beneficiary's option, all obligations secured by this instrument, irrespective of the maturity dates expressed therein or herein, shall become immediately due and payable.

To protect the security of this trust deed, grantor agrees:

1. To protect, preserve and maintain said property in good condition and repair; not to remove or demolish any building or improvement thereon; not to commit or permit any waste of said property.
2. To complete or restore promptly and in good workmanlike manner any building or improvement which may be constructed, damaged or destroyed thereon, and pay when due all costs incurred therefore.
3. To comply with all laws, ordinances, regulations, covenants, conditions and restrictions affecting the property; if the beneficiary so requests, to join in executing such financing statements pursuant to the Uniform Commercial Code as the beneficiary may require and to pay for filing same in the proper public office or offices, as well as the cost of all lien searches made by filing officers or searching agencies as may be deemed desirable by the beneficiary.
4. To provide and continuously maintain insurance on the buildings now or hereafter erected on said premises against loss or damage by fire and such other hazards, as the beneficiary may from time to time require, in an amount not less than the **\$Full Insurable Value**, written by one or more companies acceptable to the beneficiary, with loss payable to the latter. All policies of insurance shall be delivered to the beneficiary as soon as insured. If grantor shall fail for any reason to procure any such insurance and to deliver said policies to the beneficiary at least fifteen days prior to the expiration of any policy of insurance now or hereafter placed on said buildings, the beneficiary may procure same at grantor's expense. The amount collected under any fire or other insurance policy may be applied by beneficiary upon any indebtedness secured hereby and in such order as beneficiary may determine, or at option of beneficiary the entire amount so collected, or any part thereof, may be released to grantor. Such application or release shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.
5. To keep said premises free from construction liens and to pay all taxes, assessments and other charges that may be levied or assessed upon or against said property before any part of such taxes, assessments and other charges become past due or delinquent and promptly deliver receipts therefore to beneficiary; should the grantor fail to make payment of any taxes, assessments, insurance premiums, liens or other charges payable by grantor, either by direct payment or by providing beneficiary with funds with which to make such payment, beneficiary may, at its option, make payment thereof, and the amount so paid, with interest at the rate set forth in the note secured hereby, together with obligations described in paragraphs 6 and 7 of this trust deed, shall be added to and become a part of the debt secured by this trust deed, without waiver of any rights arising from breach of any of the covenants hereof and for such payments, with interest as aforesaid, the property hereinbefore described, as well as the grantor, shall be bound to the same extent that they are bound for the payment of the

NOTE: The Trust Deed Act provides that the Trustee hereunder must be either an attorney, who is an active member of the Oregon State Bar, a bank, trust company, or savings and loan association authorized to do business under the laws of Oregon or the United States, a title insurance company authorized to insure title to real property of this state, its subsidiaries, affiliates, agents or branches, the United States or any agency thereof, or an escrow agent licensed under ORS 696.505 to 696.585.

12.00

obligation herein described, and all such payments shall be immediately due and payable without notice, and the nonpayment thereof shall, at the option of the beneficiary, render all sums secured by this trust deed immediately due and payable and constitute a breach of this trust deed.

6. To pay all costs, fees and expenses of this trust deed including the cost of title search as well as the other costs and expenses of the trustee incurred in connection with or in enforcing this obligation and trustee's and attorney's fees actually incurred.
7. To appear in and defend any action or proceeding purporting to affect the security rights or powers of beneficiary or trustee; and in any suit, action or proceeding in which the beneficiary or trustee may appear, including any suit for the foreclosure of this deed, to pay all costs and expenses, including evidence of title and the beneficiary's or trustee's attorney's fees; the amount of attorney's fees mentioned in this paragraph 7 in all cases shall be fixed by the trial court and in the event of an appeal from any judgment or decrees of the trial court, grantor further agrees to pay such sum as the appellate court shall adjudge reasonable as the beneficiary's or trustee's attorney's fees on such appeal.

It is mutually agreed that:

8. In the event that any portion or all of said property shall be taken under the right of eminent domain or condemnation, beneficiary shall have the right, if it so elects, to require that all or any portion of the monies payable as compensation for such taking, which are in excess of the amount required to pay all reasonable costs, expenses and attorney's fees necessarily paid or incurred by grantor in such proceedings, shall be paid to beneficiary and applied by it first upon any such reasonable costs and expenses and attorney's fees, both in the trial and appellate courts, necessarily paid or incurred by beneficiary in such proceedings, and the balance applied upon the indebtedness secured hereby; and grantor agrees, at its own expense, to take such actions and execute such instruments as shall be necessary in obtaining such compensation, promptly upon beneficiary's request.
At any time and from time to time upon written request of beneficiary, payment of its fees and presentation of this deed and the note for endorsement (in case of full reconveyances, for cancellation), without affecting the liability of any person for the payment of the indebtedness, trustee may (a) consent to the making of any map or plat of said property; (b) join in granting any easement or creating any restriction thereon; (c) join in any subordination or other agreement affecting this deed or the lien or charge thereof; (d) reconvey, without warranty, all or any part of the property. The grantee in any reconveyance may be described as the "person or persons legally entitled thereto," and the recitals therein of any matters or facts shall be conclusive proof of the truthfulness thereof. Trustee's fees for any of the services mentioned in this paragraph shall be not less than \$5.
10. Upon any default by grantor hereunder, beneficiary may at any time without notice, either in person, by agent or by a receiver to be appointed by a court, and without regard to the adequacy of any security for the indebtedness hereby secured, enter upon and take possession of said property or any part thereof, in its own name sue or otherwise collect the rents, issues and profits, including those past due and unpaid, and apply the same, less costs and expenses of operation and collection, including reasonable attorney's fees upon any indebtedness secured hereby, and in such order as beneficiary may determine.
11. The entering upon and taking possession of said property, the collection of such rents, issues and profits, or the proceeds of fire and other insurance policies or compensation or awards for any taking or damage of the property, and the application or release thereof as aforesaid, shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.
12. Upon default by grantor in payment of any indebtedness secured hereby or in his performance of any agreement hereunder, time being of the essence with respect to such payment and/or performance, the beneficiary may declare all sums secured hereby immediately due and payable. In such an event the beneficiary at his election may proceed to foreclose this trust deed in equity as a mortgage or direct the trustee to foreclose this trust deed by advertisement and sale, or may direct the trustee to pursue any other right or remedy, either at law or in equity, which the beneficiary may have. In the event the beneficiary elects to foreclose by advertisement and sale, the beneficiary or the trustee shall execute and cause to be recorded his written notice of default and his election to sell the said described real property to satisfy the obligation secured hereby whereupon the trustee shall fix the time and place of sale, give notice thereof as then required by law and proceed to foreclose this trust deed in the manner provided in ORS 86.735 to 86.795.
13. After the trustee has commenced foreclosure by advertisement and sale, and at any time prior to 5 days before the date the trustee conducts the sale, the grantor or any other person so privileged by ORS 86.753, may cure the default or defaults. If the default consists of a failure to pay, when due, sums secured by the trust deed, the default may be cured by paying the entire amount due at the time of the cure other than such portion as would not then be due had no default occurred. Any other default that is capable of being cured may be cured by tendering the performance required under the obligation or trust deed. In any case, in addition to curing the default or defaults, the person effecting the cure shall pay to the beneficiary all costs and expenses actually incurred in enforcing the obligation of the trust deed together with trustee's and attorney's fees not exceeding the amounts provided by law.
14. Otherwise, the sale shall be held on the date and at the time and place designated in the notice of sale or the time to which said sale may be postponed as provided by law. The trustee may sell said property either in one parcel or in separate parcels and shall sell the parcel or parcels at auction to the highest bidder for cash, payable at the time of sale. Trustee shall deliver to the purchaser its deed in form as required by law conveying the property so sold, but without any covenant or warranty, express or implied. The recitals in the deed of any matters of fact shall be conclusive proof of the truthfulness thereof. Any person, excluding the trustee, but including the grantor and beneficiary, may purchase at the sale.
15. When trustee sells pursuant to the powers provided herein, trustee shall apply the proceeds of sale to payment of (1) the expenses of sale, including the compensation of the trustee and a reasonable charge by trustee's attorney, (2) to the obligation secured by the trust deed, (3) to all persons having recorded liens subsequent to the interest of the trustee in the trust deed as their interests may appear in the order of their priority and (4) the surplus, if any, to the grantor or to his successor in interest entitled to such surplus.
16. Beneficiary may from time to time appoint a successor or successors to any trustee named herein or to any successor trustee appointed hereunder. Upon such appointment, and without conveyance to the successor trustee, the latter shall be vested with all title, powers and duties conferred upon any trustee herein named or appointed hereunder. Each such appointment and substitution shall be made by written instrument executed by beneficiary, which, when recorded in the mortgage records of the county or counties in which the property is situated, shall be conclusive proof of proper appointment of the successor trustee.
17. Trustee accepts this trust when this deed, duly executed and acknowledged is made a public record as provided by law. Trustee is not obligated to notify any party hereto of pending sale under any other deed of trust or of any action or proceeding in which grantor, beneficiary or trustee shall be a party unless such action or proceeding is brought by trustee. The grantor covenants and agrees to and with the beneficiary and the beneficiary's successor in interest that the grantor is lawfully seized in fee simple of the real property and has a valid, unencumbered title thereto and that the grantor will warrant and forever defend the same against all persons whomsoever.

WARNING: Unless grantor provides beneficiary with evidence of insurance coverage as required by the contract or loan agreement between them, beneficiary may purchase insurance at grantor's expense to protect beneficiary's interest. This insurance may, but need not, also protect grantor's interest. If the collateral becomes damaged, the coverage purchased by beneficiary may not pay any claim made by or against grantor. Grantor may later cancel the coverage by providing

RECEIVED
JAN 27 2021
OVER

evidence that grantor has obtained property coverage elsewhere. Grantor is responsible for the cost of any insurance coverage purchased by beneficiary, which cost may be added to grantor's contract or loan balance. If it is so added, the interest rate on the underlying contract or loan will apply to it. The effective date of coverage may be the date grantor's prior coverage lapsed or the date grantor failed to provide proof of coverage. The coverage beneficiary purchases may be considerably more expensive than insurance grantor might otherwise obtain alone and may not satisfy any need for property damage coverage or any mandatory liability insurance requirements imposed by applicable law.

The grantor warrants that the proceeds of the loan represented by the above described note and this trust deed are:
primarily for grantor's personal, family, or household purposes

This deed applies to, inures to the benefit of and binds all parties hereto, their heirs, legatees, devisees, administrators, executors, personal representatives, successors, and assigns. The term beneficiary shall mean the holder and owner, including pledgee, of the contract secured hereby, whether or not named as a beneficiary herein.

In construing this trust deed, it is understood that the grantor, trustee and/or beneficiary may be more than one person; that if the context so requires, the singular shall be taken to mean and include the plural and that generally all grammatical changes shall be made, assumed and implied to make the provisions hereof apply equally to corporations and to individuals.

IN WITNESS WHEREOF, said grantor has hereunto set his hand the day and year first above written.

Paul Vaden Family Trust

BY:

Paul Vaden, Trustee

RECEIVED

JAN 27 2021

State of Oregon

County of Jackson

OWRD

On this 16 day of June, 2010, before me Kelli Hogenson, a notary public in and for said State, personally appeared Paul Vaden being by me first duly sworn, declared that he is the Trustee of the Paul Vaden Family Trust that they signed the foregoing document as the Trustee and that statements therein contained are true.

Notary Public

Residing at: Medford

Commission Expires: 3.2.12



REQUEST FOR FULL RECONVEYANCE
(To be used only when obligations have been paid)

TO: _____, Trustee

The undersigned is the legal owner and holder of all indebtedness secured by the foregoing trust deed. All sums secured by the trust deed have been fully paid and satisfied. You hereby are directed, on payment to you of any sums owing to you under the terms of the trust deed or pursuant to statute, to cancel all evidences of indebtedness secured by the trust deed (which are delivered to you herewith together with the trust deed) and to reconvey, without warranty, to the parties designated by the terms of the trust deed the estate now held by you under the same.

Mail reconveyance and documents to:

DATED: _____

Beneficiary

**Do not lose or destroy this Trust Deed or the Note which it secures.
Both must be delivered to the Trustee for cancellation before reconveyance will be made.**

Legal Description
File No. ONM06295

RECEIVED

JAN 27 2021

EXHIBIT "A"

OWRD

Land in Malheur County, Oregon, as follows:

A parcel of land situated in Sec. 32, Twp. 13 S., R. 42 E., W.M., and in Sec. 5, Twp. 14 S., R. 42 E., W.M., as set forth in Mineral Certificate No. 72, United States Patent, recorded September 12, 1892, Book C, Page 598, Deed Records of Malheur County, as follows:

That certain placer mining claim and premises known as the Blair and Glover Placer Mining Claim, described as:

The W $\frac{1}{2}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$,
The W $\frac{1}{2}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$,
The E $\frac{1}{2}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, and
SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 32 Twp. 13 S., R. 42 E., W.M., also,
NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$,
E $\frac{1}{2}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$,
SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$,
NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$,
NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$,
N $\frac{1}{2}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$, and the
N $\frac{1}{2}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$, of Sec. 5, Twp. 14 S., R. 42 E., W.M.
EXCEPTING THEREFROM any veins or lodes of quartz, or other rock in place
Bearing gold, silver, cinnabar, lead, tin, copper or other valuable deposits within
The land above described, which may have been discovered or known to exist on
Or prior to June 17, 1891.

AND that portion of land situated in Sec. 8, Twp. 14 S., R. 42 E., W.M., as set forth in Mineral Certificate No. 16, designated by the Surveyor General as Lot 78, United States Patent, recorded March 14, 1878, Book A, Page 432, Deed Records of Malheur County, bounded and described with magnetic variation at 20 degrees East, to-wit:

Beginning at a Corner No. 1, a post in mound marked M. H. and E 1, from which the corner
Common to Sections 7, 8, 17 and 18, Twp. 14 S., R. 42 E., W.M., bears South 23 degrees
45' W., at a distance of 15 chains;
Thence from said Corner No. 1, North 14 degrees 03' E., 3 chains to Corner No. 2, a post marked
M. H. and E 2;
Thence North 72 degrees W., 75 links to Corner No. 3, a post marked M. H. and E 3;
Thence North 02 degrees E., 21 chains to Corner No. 4, a post marked M. H. and E 4;
Thence North 29 degrees 45' E., 5 chains and 85 links to Corner No. 5, a post marked M. H. and
E 5;
Thence North 60 degrees 15' W., 5 chains and 30 links to Corner No. 6, a post marked M. H. and
E 6;

(Continued)

RECEIVED
JAN 27 2021
OWRD

Thence North 29 degrees 45' E., 13 chains to Corner No. 7, a post marked M. H. and E 7;
Thence South 60 degrees 15' E., 6 chains and 6 links to Corner No. 8, a post marked M. H. and E 8;
Thence North 41 degrees 45' E., 10 chains and 30 links, to a Corner No. 9, a post marked M. H. and E 9;
Thence South 63 degrees 30' E., 6 chains and 6 links, to a Corner No. 10, a post marked M. H. and E 10;
Thence South 25 degrees 30' W., 24 chains and 75 links, to a Corner No. 11, a post marked M. H. and E 11;
Thence North 63 degrees 30' W., 5 chains and 46 links, to Corner No. 12, a post marked M. H. and E 12;
Thence South 29 degrees 45' W., 5 chains and 50 links, to a Corner No. 13, a post marked M. H. and E 13;
Thence South 02 degrees W., 18 chains and 42 links, to a Corner No. 14, a post marked M. H. and E 14;
Thence South 14 degrees W., 3 chains to Corner No. 15, a post marked M. H. and E 15;
Thence North 72 degrees W., 3 chains and 3 links to the Point of Beginning.
EXCEPTING THEREFROM any veins or lodes of quartz, or other rock in place Bearing gold, silver, cinnabar, lead, tin, copper or other valuable deposits within The land above described, which may have been discovered or known to exist on Or prior to February 9, 1878.

ALSO that parcel of land situated in Sec. 32, Twp. 13 S., R. 42 E., W.M., and in Sec. 5, Twp. 14 S., R. 42 E., W.M., as set forth in Mineral Certificate No. 15, designated by the Surveyor General as Lot 80, United States Patent, recorded March 10, 1877, Book A, Page 390, Deed Records of Malheur County, bounded and described with magnetic variation at 20 degrees East, to-wit:

Beginning at a post in mound marked J C and Co. No. 8, the same being corner No. 8, of Survey No. 81, made for the placer claim of Joseph Copeland, et al;

Thence North 74 degrees 15' W., 3 chains and 3 links as measured to a post marked S and C 2;
Thence North 08 degrees 30' E., 8 chains to a post marked S and C 3;
Thence North 02 degrees 15' W., 5 chains and 20 links to a post marked S and C 4;
Thence North 06 degrees 30' W., 16 chains to a post marked S and C 5;
Thence North 29 degrees East 4 chains and 13 links to a post marked S and C 6;
Thence South 73 degrees East 2 chains and 50 links to a post marked S and C 7;
Thence North 14 degrees 30' East 10 chains to a post marked S and C 8;
Thence North 35 degrees 30' East 11 chains and 24 links to a post marked S and C 9;
Thence North 84 degrees 15' East 3 chains and 3 links to a post marked S and C 10;
Thence South 35 degrees 30' West 9 chains and 90 links to a post marked S and C 11;
Thence South 18 degrees 30' W., 3 chains and 70 links to a post marked S and C 12;
Thence South 16 degrees 30' W., 11 chains and 80 links to a post marked S and C 13;
Thence South 18 degrees 45' E., 11 chains and 25 links to a post marked S and C 14;
Thence South 10 degrees 15' E., 6 chains and 60 links to a post marked S and C 15;
Thence South 17 degrees 30' W., 7 chains and 76 links to a post marked S. and C 16;
Thence South 65 degrees West 3 chains and 3 links to a post marked S and C 17;
Thence South 24 degrees 30 W., 5 chains and 90 links to the Point of Beginning.
EXCEPTING THEREFROM any veins or lodes of quartz, or other rock in place Bearing gold, silver, cinnabar, lead, tin, copper or other valuable deposits within The land above described, which may have been discovered or known to exist on Or prior to January 27, 1877.

(Continued)

AND that certain parcel situated in Sec. 5, Twp. 14 S., R. 42 E., W.M., as set forth in Mineral Certificate No. 17, designated by the Surveyor General as Lot 81, United States Patent, dated February 9, 1878, Book A, Page 426, Deed Records of Malheur County, bounded and described with magnetic variation at 20 degrees East, to-wit:

Beginning at Corner No. 1, a post in mound marked J.C. and G I, from which corner No. 9 of Survey No. 78, made for the placer claim of Albert H. Brown and William J. Eastabrook, bears South 06 degrees West at a distance of 27 chains;
Thence from said Corner No. 1, South 83 degrees 30' E., 6 chains and 16 links to Corner No. 2, A post marked J and C 2;
Thence North 14 degrees E., 15 chains to Corner No. 3, to a post marked J. C. and Co. 3;
Thence North 29 degrees 45' E., 10 chains to Corner No. 4, a post marked J. C. and Co. 4;
Thence North 21 degrees 45' E., 9 chains to Corner No. 5, a post marked J. C. and Co. 5;
Thence North 20 degrees E., 14 chains and 60 links to a Corner No. 6, a post marked J. C. and Co. 6;
Thence North 65 degrees W., 3 chains and 3 links to a Corner No. 7, a post marked J. C. and Co. 7;
Thence South 24 degrees 30' W., 5 chains and 90 links to Corner No. 8, a post marked J. C. and Co. 8;
Thence South 14 degrees 45' W., 4 chains and 8 links to Corner No. 9, a post marked J. C. and Co. 9;
Thence South 34 degrees W., 11 chains to Corner No. 10, a post marked J. C. and C. 10;
Thence South 29 degrees 45' W., 13 chains and 43 links to Corner No. 11, a post marked J. C. And Co. 11;
Thence South 14 degrees West 15 chains to the Point of Beginning.
EXCEPTING THEREFROM any veins or lodes of quartz, or other rock in place Bearing gold, silver, cinnabar, lead, tin, copper or other valuable deposits within The land above described, which may have been discovered or known to exist on Or prior to February 9, 1878.

ALSO a parcel of land situated in Sec. 8, Twp. 14 S., R. 42 E., W.M., as set forth in Mineral Certificate No. 22, designated by the Surveyor General as Lot 86, United States Patent, recorded March 10, 1877, Book A, Page 395, Deed Records of Malheur County, bounded and described with magnetic variation at 20 degrees East, to-wit:

Beginning at a Corner No. 1, a post marked B and M 1, the same being Corner No. 11 of Survey No. 78, made for the claim of Albert H. Brown, et al;
Thence North 63 degrees 30' W., 5 chains and 46 links to Corner No. 2, a post marked B and M 2, the same being Corner No. 12 of said Survey No. 78;
Thence South 39 degrees 45' W., 5 chains and 50 links to Corner No. 3, a point marked B and M 3, the same being Corner No. 13 of said Survey No. 78;
Thence South 02 degrees West 18 chains and 42 links to Corner No. 4, a post marked B and M 4, The same being Corner No. 13 of said Survey No. 78;
Thence South 14 degrees West 3 chains to Corner No. 5, a post marked B and M 5, the same Being Corner No. 15 of said Survey No. 78, from which the corner common to Sections 7, 8, 17 and 18 in Twp. 14 S., R. 42 E., W.M., bears South 32 degrees 10' W., at a distance of 15 chains;

(Continued)

RECEIVED
JAN 27 2021
OWRD

Thence from said Corner No. 5, South 21 degrees W., 2 chains and 70 links to Corner No. 6, a
Post marked B and M 6;
Thence East 5 chains to Corner No. 7, a post marked B and M 7;
Thence North 18 degrees 30' E., 25 chains to Corner No. 8, a post marked B and M 8;
Thence North 14 degrees 30' E., 10 chains and 28 links to a Corner No. 9, a post marked
B and M 9;
Thence North 63 degrees 30' W., 3 chains and 40 links to a Corner No. 10, a post marked
B and M 10;
Thence South 26 degrees 30' W., 10 chains to the Point of Beginning.
EXCEPTING THEREFROM any veins or lodes of quartz, or other rock in place
Bearing gold, silver, cinnabar, lead, tin, copper or other valuable deposits within
The land above described, which may have been discovered or known to exist on
Or prior to February 17, 1877.

* * * * *

RECEIVED

JAN 27 2021

OWRD

Align top of FedEx Express® shipping label here.

Express

634
35.2
6
16:30
A
24:33
01/27

ORIGIN ID:MFRA (541) 261-5072
WILLIAM REISHMAN

228 E MAIN ST STE 2D

MEDFORD, OR 97501
UNITED STATES US

SHIP DATE: 26JAN21
ACTWGT: 0.15 LB
CAD: 6991698/SSF02121

BILL CREDIT CARD

TO OWRD
ATTN: MARY
725 SUMMER ST NE STE A

SALEM OR 97301

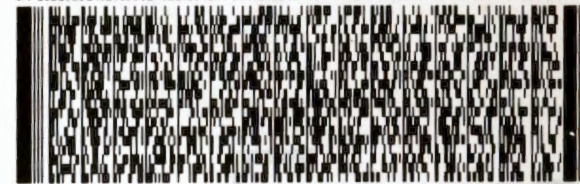
(503) 986-0900

REF:

INVT:

PO:

DEPT:



FedEx
Express



TRK# 7830 5535 2453
0201

WED - 27 JAN 4:30P
STANDARD OVERNIGHT

86 SLEA

97301
OR-US PDX

