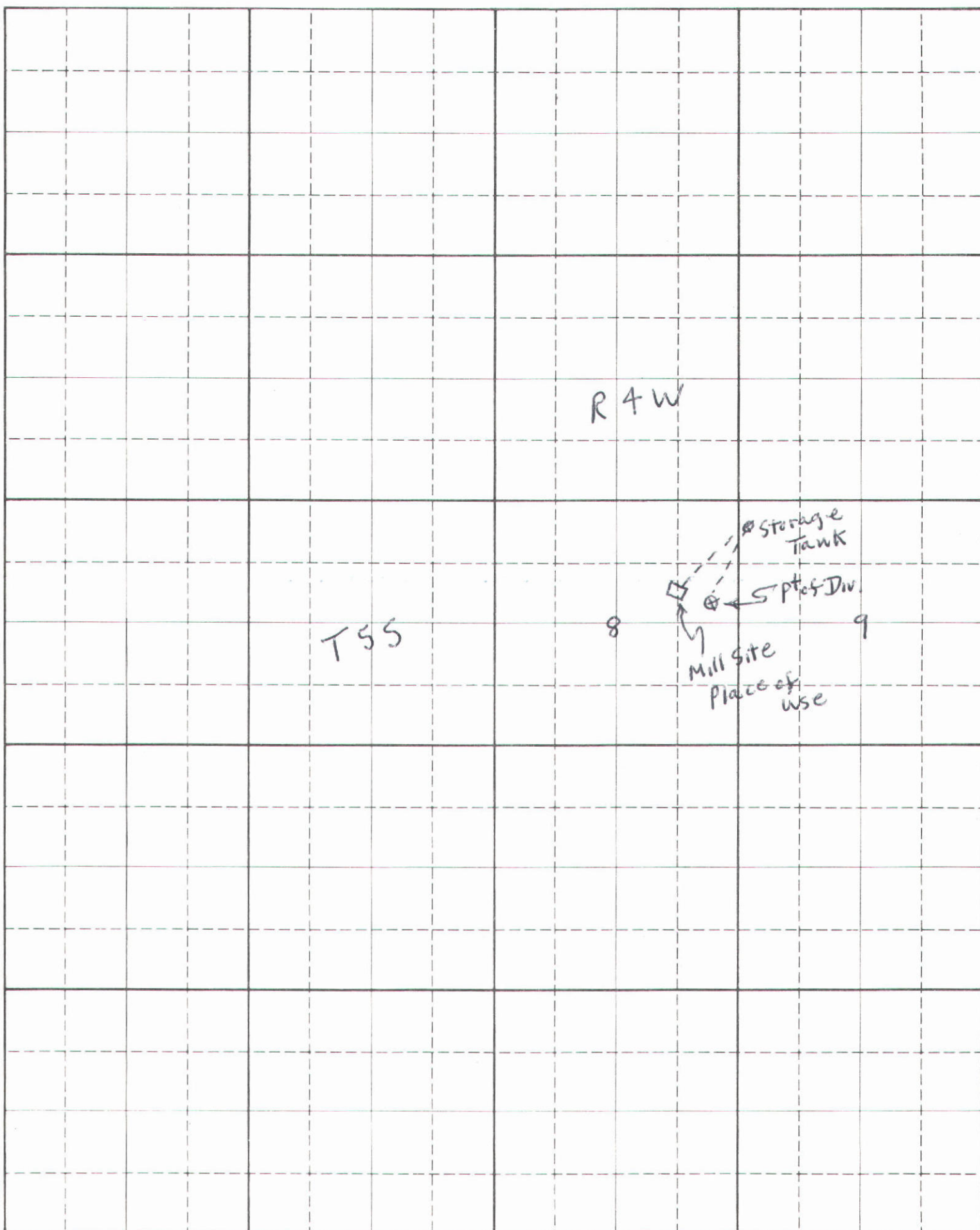


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

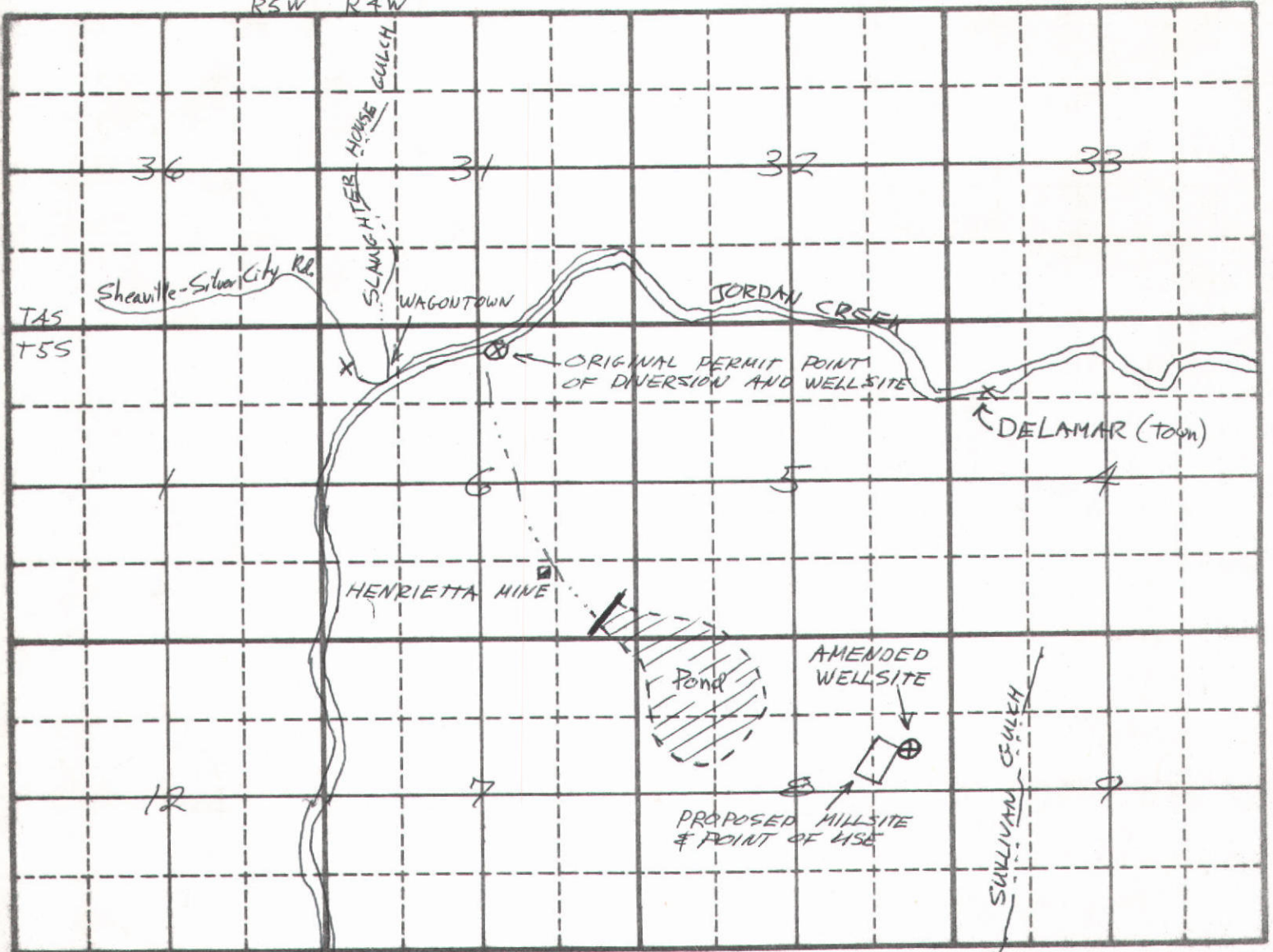


Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

RE Bohm
(Applicant) General Manager

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

Louse Cr & into Jordan Creek.

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Jordan Valley, Ore., this 23 day of September, 1975.

R. E. Bohm
(signature)

R. E. Bohm - General Manager

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, _____, Director of the Department of Water Resources hereby _____

Witness my hand this _____ day of _____, 19 ____.

Director

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

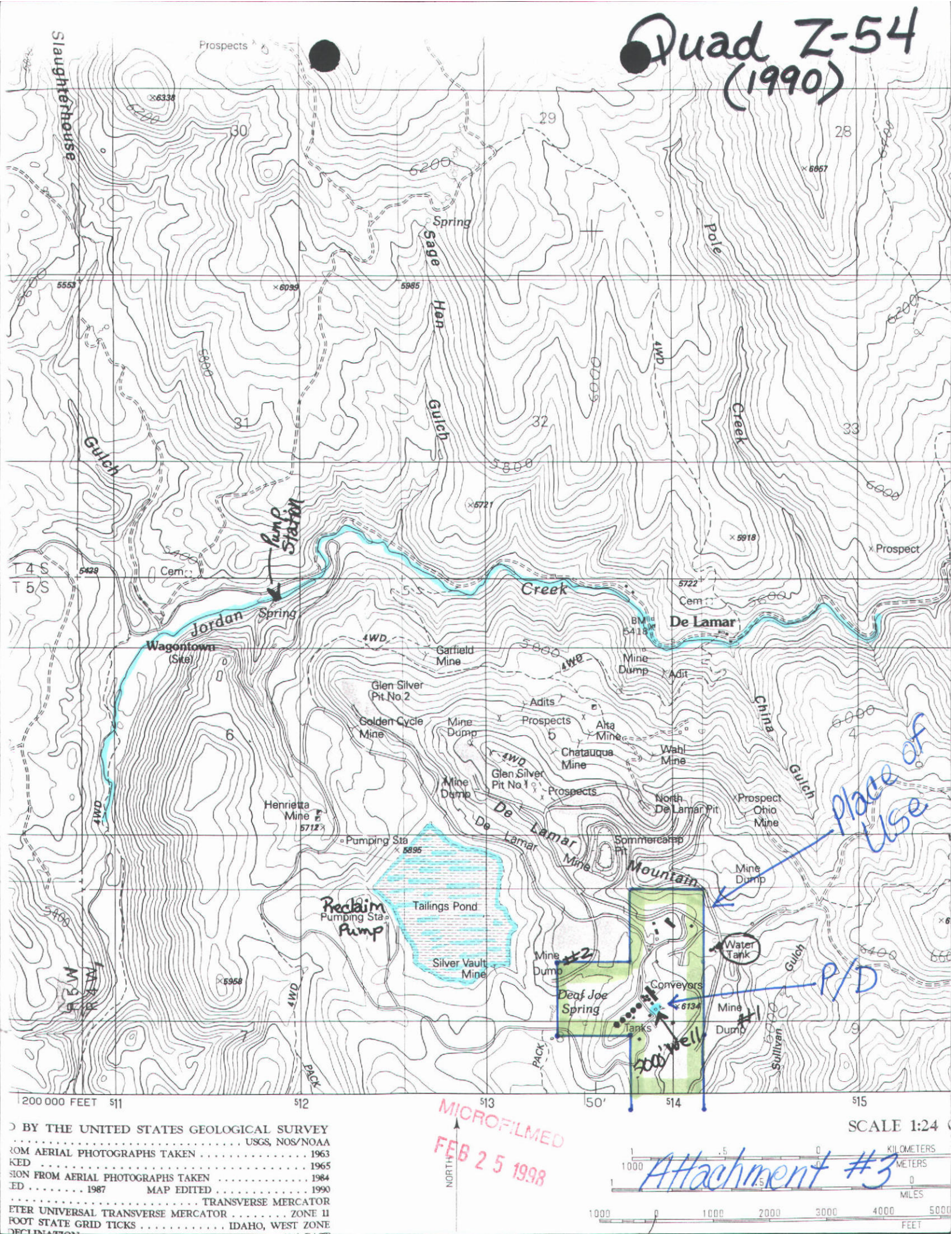


Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

William B. Tobey
(Applicant) William B. Tobey, Director
of Engineering Services

Quad Z-54
(1990)



BY THE UNITED STATES GEOLOGICAL SURVEY		USGS, NOS/NOAA
FROM AERIAL PHOTOGRAPHS TAKEN		1963
RED		1965
FROM AERIAL PHOTOGRAPHS TAKEN		1984
ED	1987	MAP EDITED 1990

513
MICROFILMED
FEB 25 1998
NORTH

SCALE 1:24 0



55-07081

Used to "Boost" water to Storage Tank Only.

DELAMAR SILVER MINE MINE WATER SUPPLY SYSTEM

Jordan Creek Pump #1
20 HP
Vertical Sump Pump
500 gpm

Jordan Creek

Jordan Creek Pump #2
125 HP
Multistage Vertical Turbine
500 gpm

Pressure Relief

Inline Pump Station
100 HP
Vertical Inline Pump
500 gpm

Head Tank
10,000 gallon

MP-9 Sample Point

25 HP
Booster Pump

500,000 gallon

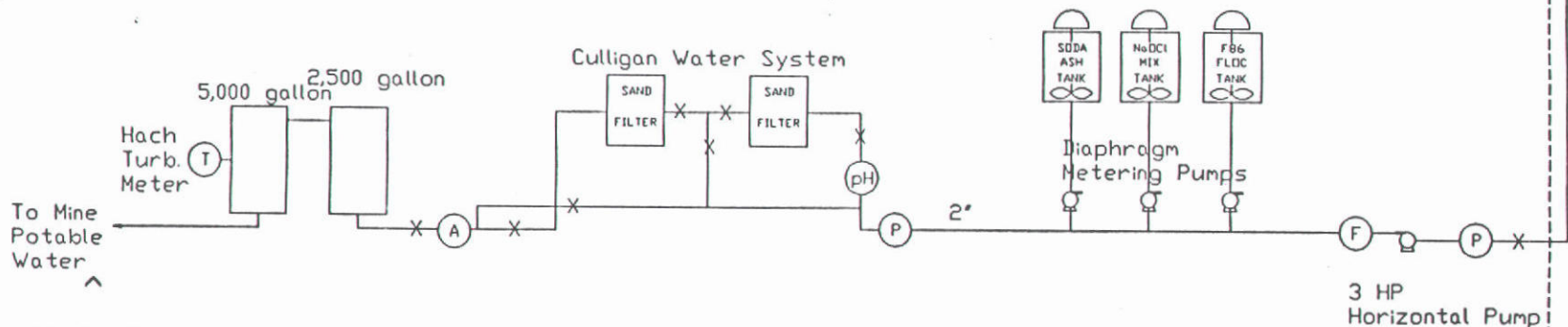
Raw Water Tank

Raw Water To Process

To Fire System

No. 3 Well (Injection well) (AKA 55-W-1)
100 HP
Multistage Submersible
500 gpm

POTABLE WATER TREATMENT



Potable Water Sample Point

FEB 25 1998
MICR

Attachment #1

	MINE WATER SUPPLY	DATE
	Delamar, Idaho	
	GENERAL FLOWSHEET	9/28/92
		00-10-001



Pump on
Jordan Creek -
located in
NWNENE, S6,
T. 5S, R. 4W.
Booster pump
in building

Note pipeline
running from
building up the
mountain - this
line delivers water
from Jordan Ck.
to mine - Pipeline
13,000' long.



FEB 25 1998

Pictures taken by Linda Wetner 4-14-93.

4-14-1993

500,000 gallon
storage tank
located in
NWNW, Sec. 9, T. 5S,
R 4W



Potable water
building - see
general flow
sheet for
potable water
treatment.

MICROFILMED
FEB 25 1998

Photos taken by Linda Werner.



2000' well located in SWSENE, Sec. 8,
T. 5S, R. 4W.



Booster pump
& pipeline
outside well
building - used
to prevent water
from ponding
around well in
building.

MICROFILMED

FEB 25 1998

Pictures taken by Linda Werner 4-14-93.



Overall
view of mine
from
vantage
point.



Green
line
injects
Jordan
Ck. water
into
well.

2000' well & booster
pump
located in
SWSENE, Sec. 8,
T. 5S, R. 4W -

Water from Jordan
Ck. can be injected
into well or
bypass well and
put into storage
tank.

MICROFILMED
FEB 25 1998

Pictures taken by Linda Werner 4-14-93.



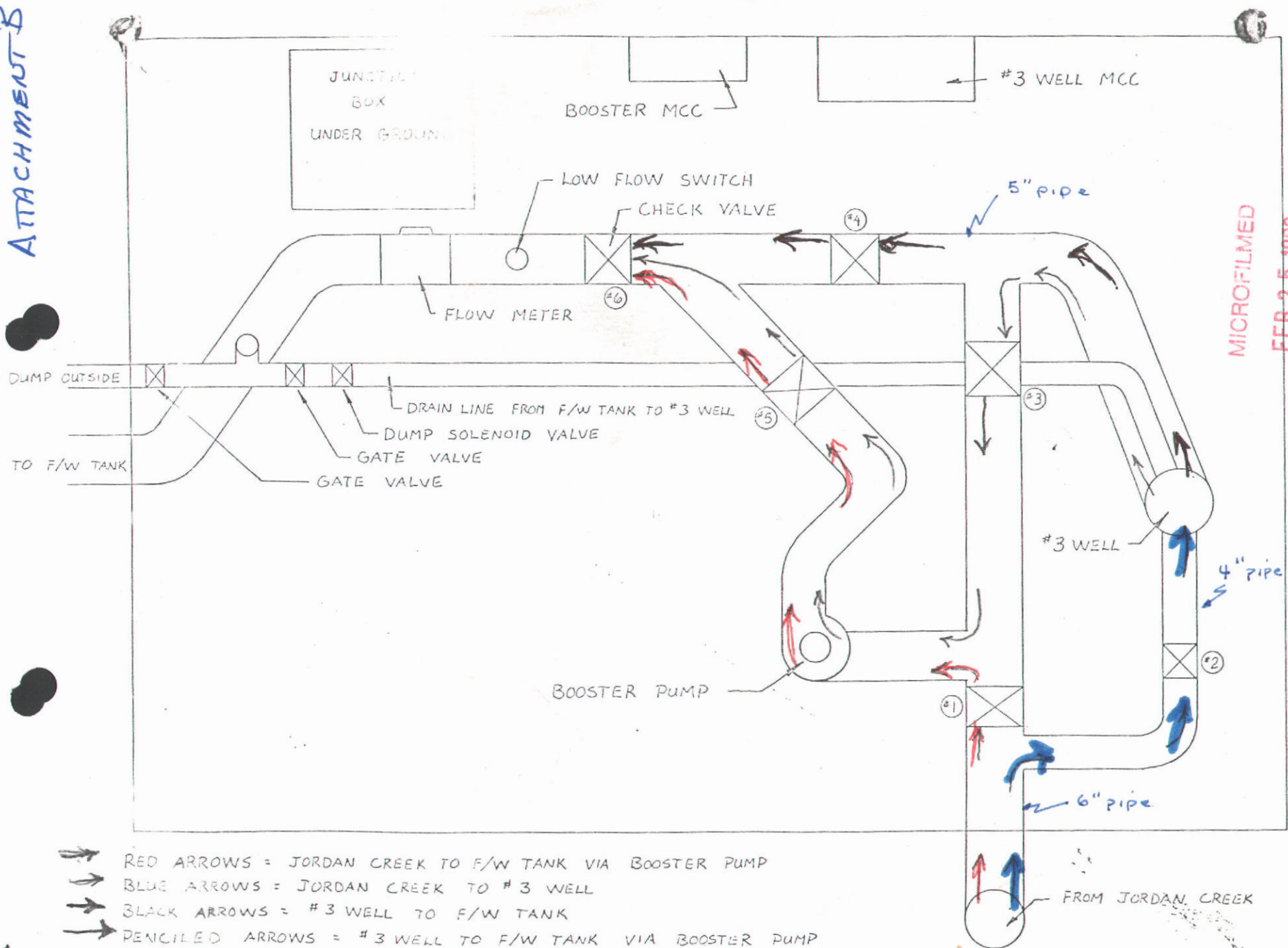
AVR towers-
installed to
clean water
after it has
gone through
milling process
before discharge
into pond.

Tailings pond
in NW $\frac{1}{4}$, S.8;
NENE, S.7;
SESE, S.6;
S $\frac{1}{2}$ SW, S 5;
T. 5S, R. 4W.
Water in
pond is now
potable-



MICROFILMED
FEB 25 1998

Pictures taken by Linda Werner 4-14-93.



MICROFILMED

FEB 25 1998

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Owyhee } S.S.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 16 day of Oct, 1975, and the last publication being on the 23 day of October, 1975;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 23 day of Oct, 1975.

Lorna P. Hawes
NOTARY PUBLIC

My commission expires 9-10-76

(SEAL)

NOTICE OF AMENDED APPLICATION FOR WATER PERMIT

Notice is hereby given that EARTH RESOURCES CO., DELAMAR SILVER MINE, P. O. Box 52, Jordan Valley, Oregon, on February 21, 1975 submitted Application No. 55-7081 for a permit to appropriate 1.1 cubic feet per second of water from a groundwater source by means of well, pump, pipeline, and storage tank within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, T. 5 S., R. 4 W., B. M., Owyhee County, to be used from Jan. 1 to Dec. 31 for mining and milling purposes within the S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 8, T. 5 S., R. 4 W., B. M.

The applicant now proposes to amend Application No. 55-7081 by change of point of diversion within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, T. 5 S., R. 4 W., B. M., Owyhee County.

If issued, this permit would be subject to all prior water rights. Any protest against the granting of the amended application for permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83707, on or before November 3, 1975.

R. KEITH HIGGINSON
Director

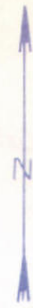
Published in the Owyhee Nugget, Marsing, Idaho on Oct. 16, 1975 and Oct. 23, 1975.

RECEIVED

OCT 27 1975

Department of Water Resources

OCT 27 1975



SCALE 1"=500'

T5S
R4W

SEC. COR.

PATENTED CLAIMS

5 4
8 9

PHILADELPHIA LOBE

SAN FRANCISCO LOBE

DENVER LOBE

BOSTON LOBE

IBURG LOBE

Approx. point
of use

MILLSITE CLAIMS

MICROFILMED

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 6 day of March, 1975, and the last publication being on the 13 day of March, 1975;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 13 day of March, 1975.

Leonard S. Hawes
NOTARY PUBLIC

My commission expires 9-10-76

(SEAL)

MAR 17 1975

RECEIVED
MAR 17 1975
Department of Water Resources

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that EARTH RESOURCES COMPANY, 5920 McIntyre St., Golden, Colorado, has on Feb. 21, 1975 submitted Application No. 55 - 7081 for a permit to appropriate 1.1 cubic feet per second of water from Groundwater by means of pipeline, well and storage tank within the NW $\frac{1}{4}$ -NE $\frac{1}{4}$, Sec. 6, T. 5 S., R. 4 W., B. M., Owyhee County, to be used from Jan. 1 to Dec. 31 for mining and milling within the S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 8, T. 5 S., R. 4 W., B. M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of

the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before March 24, 1975.

R. KEITH HIGGINSON,
Director

Published in the Owyhee Nugget, Marsing, ID on March 6, 1975 and March 13, 1975.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 55-07081

Priority: February 21, 1975 Maximum Diversion Rate: 1.10 CFS
Maximum Diversion Volume: 113.0 AF

This is to certify, that KINROSS DELAMAR MINING CO
PO BOX 52

JORDAN VALLEY OR 97910 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated February 21, 1975; and
has submitted Proof of Beneficial Use on November 25, 1977. An examination indicates
that the works have a diversion capacity of 1.100 cfs of water from a **GROUNDWATER**
source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
MINING	01/01 to 12/31	1.10 CFS	113.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 6(SENE), Sec. 8, Township 05S, Range 04W
OWYHEE County

PLACE OF USE: MINING

TWN RGE SEC

05S 04W 8

NENE
SWNW

Lot 5(SWNE)
SENW

Lot 6(ENE)
NESE

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The issuance of this right does not grant any right-of-way or easement across the land of another.
6. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
7. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
8. After specific notification by the department, the right holder shall determine the amount of water diverted and shall annually

REC'D
FEB 25 1978

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 55-07081

CONDITIONS OF APPROVAL AND REMARKS

report the information to the department.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 23RD
day of FEBRUARY, 1998.


Acting for KARL J. DREHER, Director

FEB 25 1998

RECEIVED

FEB 19 1998

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 55-07081

Date of Priority: February 21, 1975 Maximum Diversion Rate: 1.10 CFS
Maximum Diversion Volume: 113.0 AF

Comes now KINROSS DELAMAR MINING CO
PO BOX 52
JORDAN VALLEY OR 97910 and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 55-07081, and requests that the permit be changed as follows:

Source: **GROUNDWATER**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
MINING	01/01 to 12/31	1.10 CFS	113.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 6 (SENE), Sec. 8, Township 05S, Range 04W
OWYHEE County

PLACE OF USE: MINING

TWN RGE SEC

05S 04W 8	NENE SWNW	Lot 5 (SWNE) SENW	Lot 6 (SENE) NESE
-----------	--------------	----------------------	----------------------

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Kinross Delamar Mine, this 16th day of February, 1998.

Mary Baner
(Signature)
Supt. Safety & Environmental
Services

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 55-07081

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = 5000 Received by LB # CONV 82 Date 2/19/87

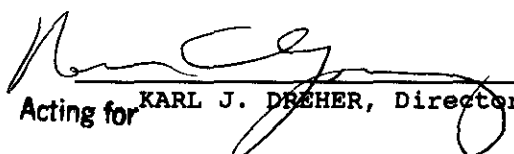
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 55-07081 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The issuance of this right does not grant any right-of-way or easement across the land of another.
6. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
7. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
8. After specific notification by the department, the right holder shall determine the amount of water diverted and shall annually report the information to the department.

Witness my hand this 23RD day of FEBRUARY, 1987.


Acting for KARL J. DREHER, Director

FEB 23 1987

WATER RIGHT SPLIT

SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Permit	55-7081	Earth Resources Co., DeLamar Silver Mine	1.1 cfs
Full Assignment	55-7081	NERCO DeLamar Company	1.1 cfs

KINROSS
DeLamar Mining Co

KINROSS
Gold U.S.A., Inc.

MARY BARRACO
Superintendent of Safety and Environmental Services

P O Box 52
Jordan Valley, Oregon 97910

(208) 583-2511
FAX (208) 583-2516

DOUGLAS E. BARTO
Manager of Permitting
and Environmental Affairs

185 South State Street, Suite 400
Salt Lake City, Utah 84111

(801) 363-9152
FAX (801) 363-8747

M. J. O'NEILL

FEB 25 1998

State of Idaho
Department of Water Resources

SEP 24 1984

ASSIGNMENT OF PERMIT

Department of Water Resources

I, MAPCO Petroleum Inc., hereby assign to NERCO DeLamar Company
(formerly known as Earth Resources Co.)
of 111 SW Columbia, Suite 800 Portland, Oregon 97201
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 55-7079 and 55-7081
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 11th day of September, 1984.

[Signature]
Permit Holder Vice President

Spouse of Permit Holder

State of Oregon)
County of Multnomah) ss.

On this 11th day of September, 1984, personally
appeared before me the signer(M) of the above instrument, who duly acknowledged to me
that he ~~(she)~~ ~~(they)~~ executed the same on behalf of MAPCO Petroleum Inc.

seal

[Signature: Lewis S. Katterman]
Notary Public residing at

Washington County, Oregon

My commission expires:
9-16-86

FEB 23 1985

Identification No. _____

Permit No. 55-7081 Amended

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

NOV 25 1977
Department of Water Resources

1. a) Name of Permit Holder Earth Resources Co., DeLamar Silver Mine
b) Post Office Address P. O. Box 52, Jordan Valley, Or. 97910
2. Permit Number 55-7081 Amended
3. Date of Priority that you are prepared to establish February 21, 1975
4. a) Source from which water was appropriated Ground water and Subsurface water
b) Location of the point of diversion: SE ¼ NE ¼, Section 8
Township 5S, Range 4W, Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
Amount 1.1 for mining & milling purposes from January 1 to December 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated See remarks (10) cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: J. V. MacGuffie, Assistant Mill Superintendent, reads flowmeter gage.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement or understanding by which you take water from the works:

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 12" I.D. casing to 1000', 8" casing to 2000'; Total depth- 2000'; pump - Pioneer Model 2100034y, 5 stage submersible w/100 HP Franklin Model 239104-9000 submersible motor.
b) Describe the type and size of measuring device which you have installed at your point of diversion: 4 inch McCrometer Flow Meter (MC-100,764339) installed in pipe between well and storage tank.
c) Give well driller's name and address and the date the well was completed: A. E. Holman of Holman Drilling Corp., E3410 Ninth Ave, Spokane, Wa.; well completed 4/12/77
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: The water is being used in mining & milling processing of silver and gold ore at the DeLamar Silver Mine. Also, some water has been discharged into Louse Creek which enters Jordan Creek for the purpose of replacing water pumped from Jordan Creek in the Spring of 1977.

If you are irrigating 15 or more acres, please submit an aerial photo of the property with this affidavit.

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

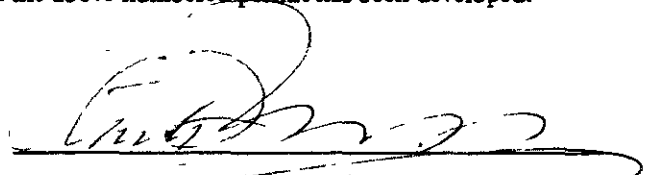
Total number of acres irrigated _____

10. Remarks: The pumping rate at the point of diversion is variable. Through October 15, 1977, 213.48 acre feet have been appropriated, of which 56.67 acre feet have gone to Louse Creek as replacement water, the rest being used for mining and milling purposes.

The above information is a true statement of the extent to which the above numbered permit has been developed.

22 November 1977

(Date)



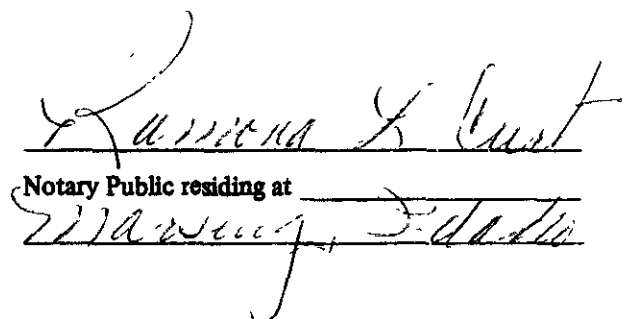
(Signature)

Clinton L. Miller - Resident Manager

State of Idaho)

County of Caribee) ss.

On this 23 day of November, 1977, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.


Notary Public residing at 2211 W. 2nd St., Idaho

My commission expires 8-15-79

Identification No. _____
Application No. 55-7081 Amended

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

AMENDED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

APPROVED

- 1 Name of applicant Earth Resources Co., DeLamar Silver Mine Phone 303-279-7631
post office address P.O. Box 52, Jordan Valley, OR 97910
- 2 Source of water supply groundwater which is a tributary of _____
- 3 a Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 8 Township 5 S
Range 4 W B.M. Owyhee County; additional points of diversion if any: _____
- b If water is not consumed, it will be discharged into Jordan Creek at a point in NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 6 Township 5 S Range 4 W B.M. _____
- 4 Water will be used for the following purposes:
Amount 1.1 for mining & milling purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
- 5 Total quantity to be appropriated
a 1.1 cubic feet per second and/or
b _____ acre feet per annum
- 6 Proposed diverting works
a Description of ditches, flumes, pumps, headgates, etc. Buried 8" pipeline from well to storage tank in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, T. 5 S, R. 4 W
- b Height of storage ~~dam~~ Tank 11' feet, active reservoir capacity 1,000,000 ~~gallons~~ gallons total reservoir capacity 1,000,000 acre feet, materials used in storage ~~dam~~ steel
Period of year during which storage will occur Jan. 1 to Dec. 31 inclusive
(Mo Day) (Mo Day)
- c Proposed well diameter is 12" inches, proposed depth of well is 300 feet
- 7 a Time required for the completion of the works and application of the water to the proposed beneficial use is 1.5 years
b Estimated construction cost is \$ 120,000
- 8 Description of proposed uses
a If water is **not** for irrigation
(1) Give the place of use of water S $\frac{1}{2}$ XX of NE $\frac{1}{4}$ of Section 8 Township 5 S
Range 4 W B.M. _____
(2) Amount of power to be generated _____ hp under _____ feet of head
(3) List number of each kind of livestock to be watered _____
(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____
(5) If water is to be used for other purposes describe For operation of a silver and gold mine and mill

b If water is for irrigation, indicate acreage in each subdivision in the tabulation below

TWP	RANGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated_____

c Describe any other water rights used for the same purposes as described above._____

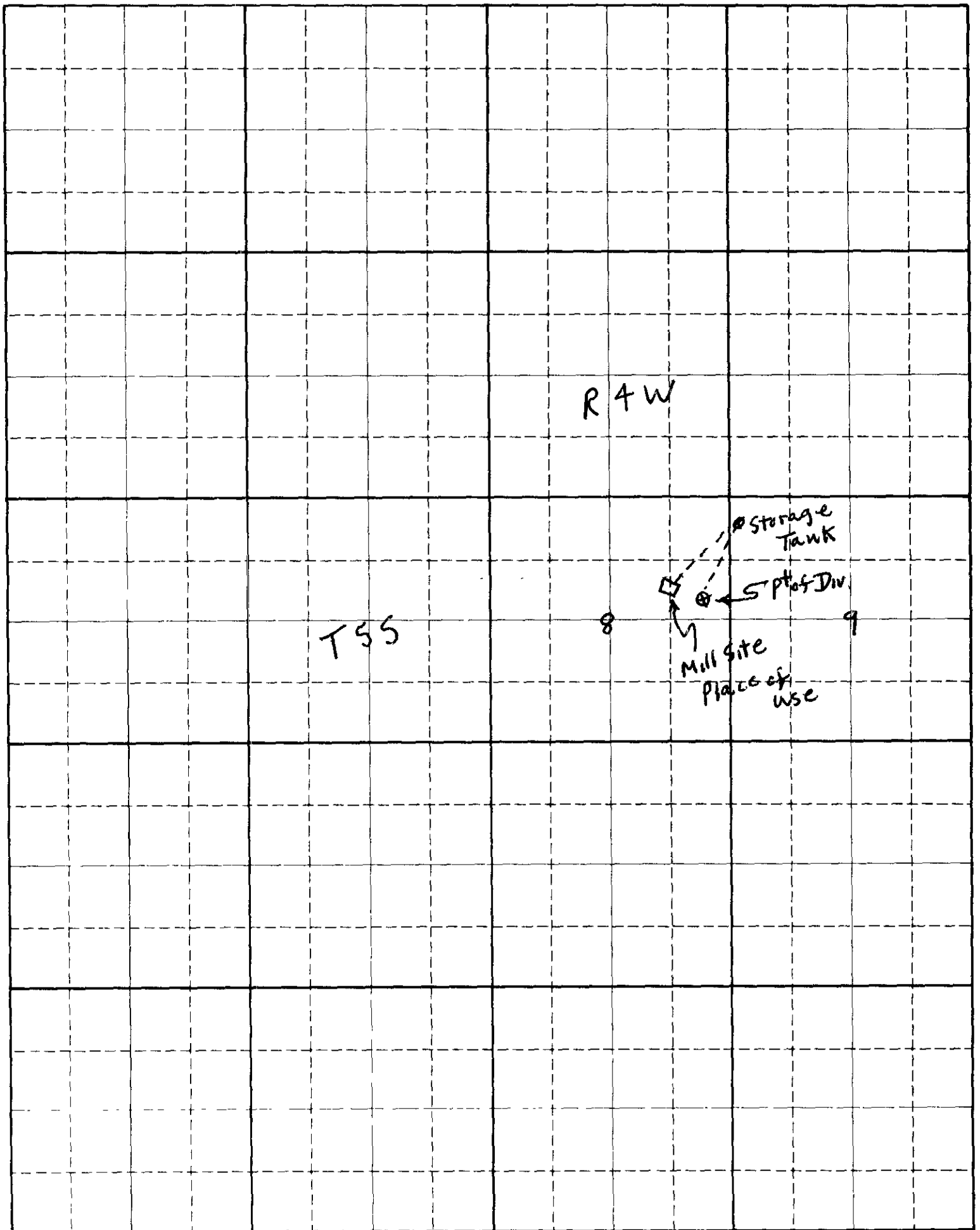
9 a. Who owns the property at the point of diversion Earth Resources Company

b. Who owns the land to be irrigated or place of use U.S. Government and Earth Resources Company
by mill site claim

c If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing_____

10. Remarks Earth Resources Company is in the process of buidling a mine and mill on DeLamar Mountain to mine and refine silver and gold from a deposit located on DeLamar Mountain and the water will be used in this mining and milling plant.

11 Map of proposed project show clearly the proposed point of diversion, place of use, section number, township and range number



Scale 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth

RE Bohm
(Applicant) General Manager

Proposed Priority 2-21-1975

Received by EJ Date 2/21/75 Time 8:00 am
Preliminary check by CB Fee \$ 35.00 Amended App. \$10.00
Receipted by CA Date 2/21/75 #421 MLB 9/23/75 #3056
Publication prepared by C/S Date 10-10-75
Published in Owyhee Nugget
Publication dates Oct. 16 & 23
Publication approved C/S Date 10-28-75
Priority reduced to _____ Reason _____

Protests filed by _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by WJH W DF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No 55-7081, and said application is hereby APPROVED.

1 Approval of said application is subject to the following limitations and conditions

- a SUBJECT TO ALL PRIOR WATER RIGHTS.
- b Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 19 77.
- c Other A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

2 Denial of said application is for the following reasons _____

Witness my hand this 5 day of November 19 75.

R. Keith L. H.
Director

Receipt # 3056
9-23-75 mev

RECEIVED

Department of Water Resources

APPLICATION FOR AMENDMENT

1975

APPLICATION FOR AMENDMENT
 Will Amend app.

Application 7081
~~XXXX~~ No. 55 -

Comes now Earth Resources Company
DeLamar Silver Mine of (address) _____

Application

That he is the owner and holder of ~~Permit~~ to appropriate the Public Waters of the State of Idaho No. 55-70⁸¹ _____, and requests that the permit and permit map be changed as follows:

1. Point of diversion: ^(well) S E $\frac{1}{4}$ N E $\frac{1}{4}$, Sec. 8 Twp. 5 S
Rge. 4 W, B.M., County of Owyhee. Other points of diversion:

N/A THE AMENDED POINT OF DIVERSION IS LOCATED
UPON APPLICANTS PROPERTY. NO RIGHT-OF-WAY REQUIRED.

mining &

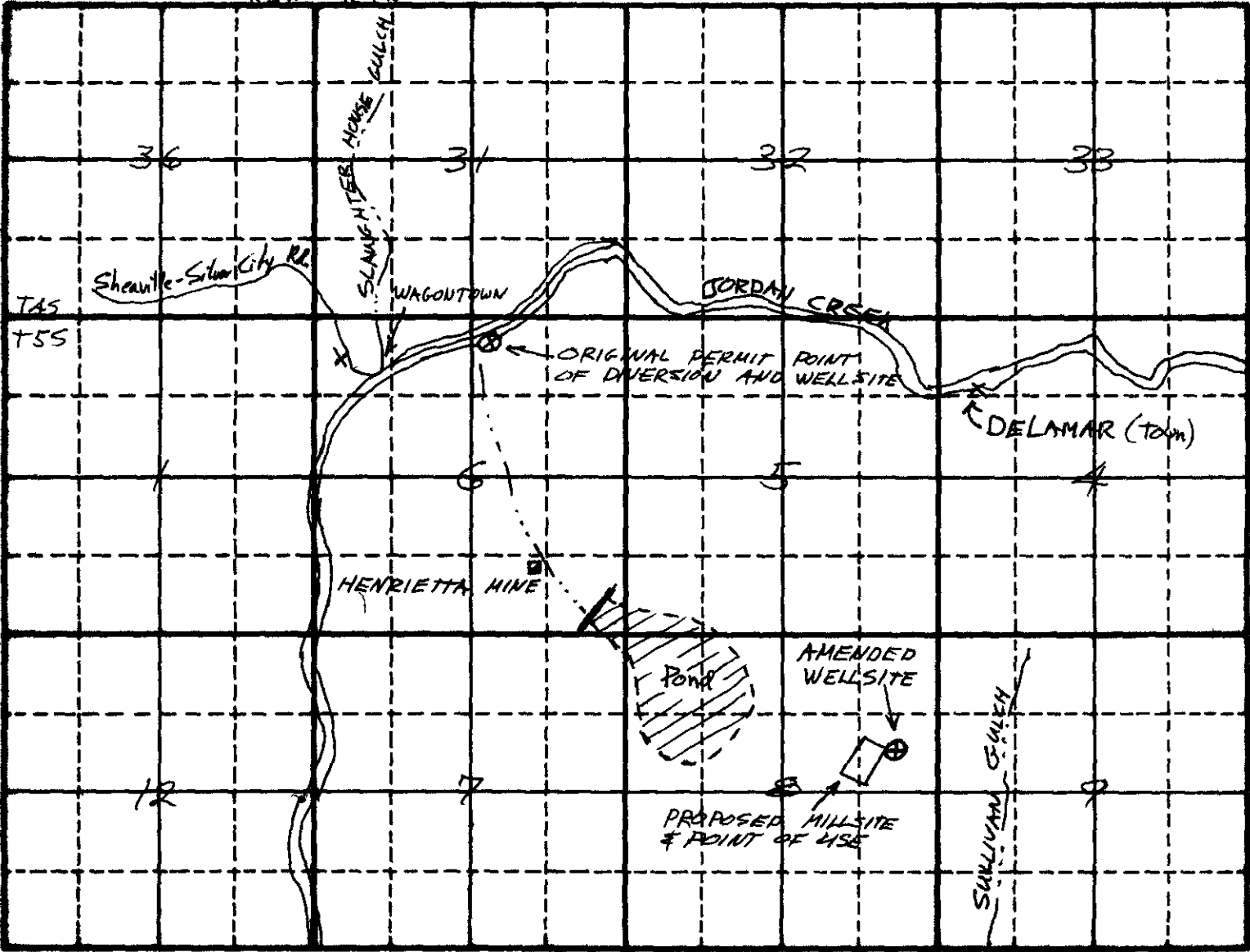
Amount 1.1 for milling purposes from Jan. 1 to Dec. 31 (both dates inclusive)
 Amount ^{cfs} for purposes from to (both dates inclusive)
 Amount for purposes from to (both dates inclusive)
 Amount for purposes from to (both dates inclusive)
 (cfs or acre feet per annum)

3. Place of use or land to be irrigated: NO CHANGE

[illegible]

Total number of acres to be irrigated

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

Louse Cr & into Jordan Creek.

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Jordan Valley, Ore., this 23 day of September, 1975.
R. E. Bohm
(signature)
R. E. Bohm - General Manager

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, _____, Director of the Department of Water Resources
hereby _____

Witness my hand this _____ day of _____, 19 ____.

Director

Identification No _____

Application No 55-7081

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1 Name of applicant Earth Resources Company Phone 303 279-7631
post office address 5920 McIntyre Street, Golden, Colorado 80401

2 Source of water supply ground water basin which is a tributary of _____

3 a Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 6 Township 5 S
Range 4W B M Owyhee County, additional points of diversion if any _____

b If water is not consumed, it will be discharged into Jordan Creek at a point in NW $\frac{1}{4}$
of NE $\frac{1}{4}$ of Section 6 Township 5 S Range 4W B.M. _____

4 Water will be used for the following purposes

Amount 1.1 c.f.s. ^{mining &} ~~for~~ milling purpose from January 1 to December 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5 Total quantity to be appropriated

a 1.1 c.f.s. cubic feet per second and/or

b _____ acre feet per annum

6 Proposed diverting works

a Description of ditches, flumes, pumps, headgates, etc Buried 8" pipeline from well to
storage tank in NW 1/4 NW 1/4 Sec. 9 T5 S R4 W

b Height of storage ~~dam~~ ^{tank} 11' feet, active reservoir capacity 1,000,000 ~~gallons~~ ^{gallons}
capacity 1,000,000 ~~acre-feet~~ ^{gallons}, materials used in storage ~~dam~~ ^{tank} steel

Period of year during which storage will occur January 1 to December 31 inclusive.
(Mo Day) (Mo Day)

c Proposed well diameter is 12" inches; proposed depth of well is 300 feet

7 a Time required for the completion of the works and application of the water to the proposed beneficial use
is 1.5 years

b Estimated construction cost is \$ 120,000

8 Description of proposed uses

a If water is **not** for irrigation

(1) Give the place of use of water. S 1/2 ~~NE~~ NE $\frac{1}{4}$ of Section 8 Township 5S
Range 4 W B M

(2) Amount of power to be generated _____ hp under _____ feet of head

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____

(5) If water is to be used for other purposes describe For operation of a silver and
gold mine and mill.

b If water is for irrigation, indicate acreage in each subdivision in the tabulation below

TWP	RANGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated_____

c Describe any other water rights used for the same purposes as described above._____

- 9

a. Who owns the property at the point of diversion

U. S. Government and Earth Resources Company
by mining claim.
- b. Who owns the land to be irrigated or place of use

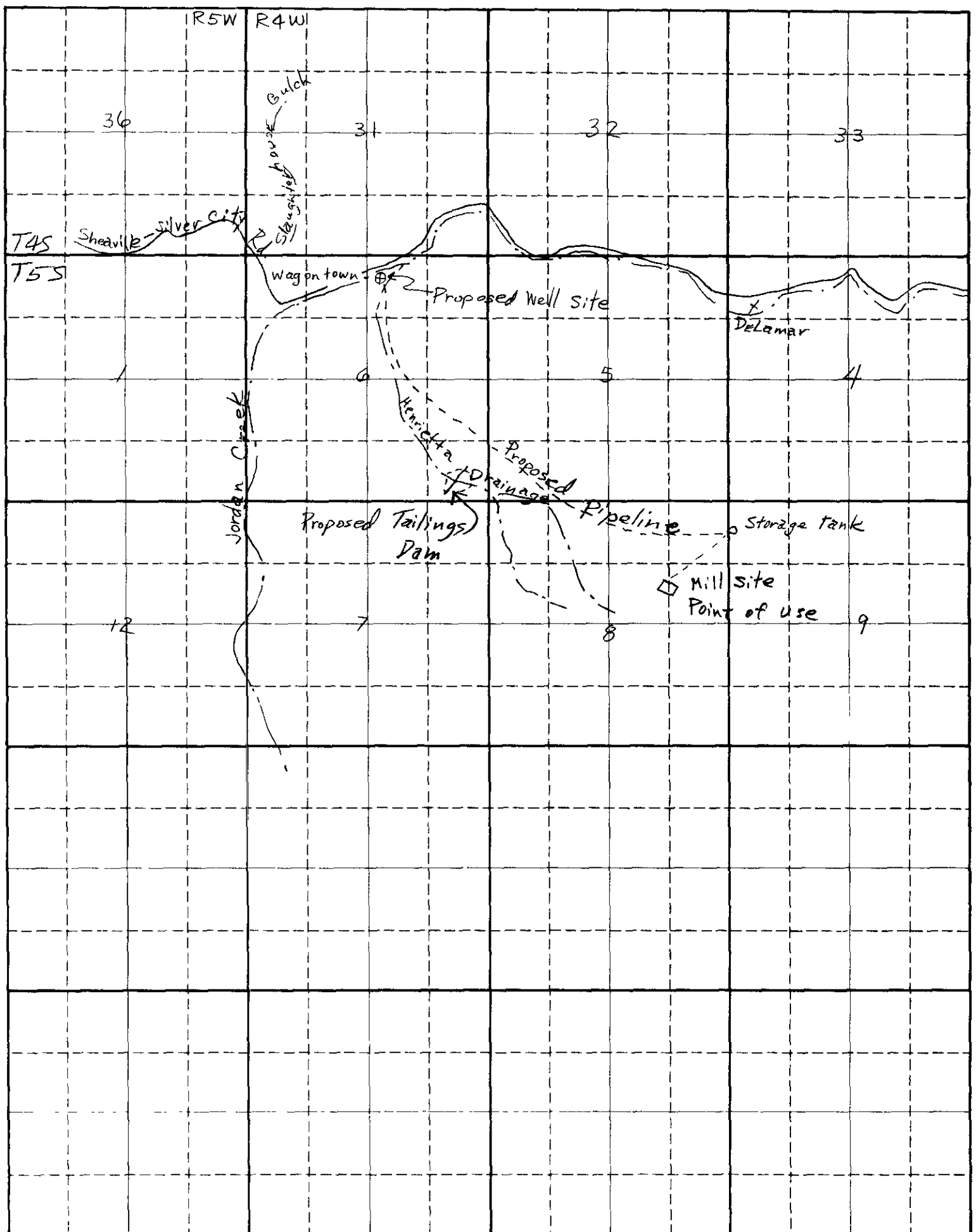
U. S. Government and Earth Resources Company
by mill site claim.
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10

Remarks

Earth Resources Company is in the process of building a mine and mill on DeLamar Mountain to mine and refine silver and gold from a deposit located on DeLamar Mountain and the water will be used in this mining and milling plant.

11 Map of proposed project show clearly the proposed point of diversion, place of use, section number, township and range number



Scale 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth

William B. Tobey
 (Applicant) William B. Tobey, Director
 of Engineering Services

Received by me Date 2/21/75 Time 8:00 A
Preliminary check by CB Fee \$ 35.00
Receipted by Pa Date 2/21/75 # 421
Publication prepared by fg Date 2-27-75
Published in Owyhee Nuggett
Publication dates March 6 & 13
Publication approved fg Date 3-17-75
Priority reduced to _____ Reason _____

Protests filed by _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.

c. Other _____

2. Denial of said application is for the following reasons: _____

Witness my hand this _____ day of _____ 19____.

Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

February 23, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

KINROSS DELAMAR MINING CO
PO BOX 52
JORDAN VALLEY OR 97910

RE: WATER RIGHT NO. 55-07081

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

MICROFILMED

FEB 23 1998

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

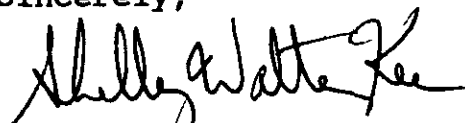
MICROFILM

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

If you have any questions, please call me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script, appearing to read "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

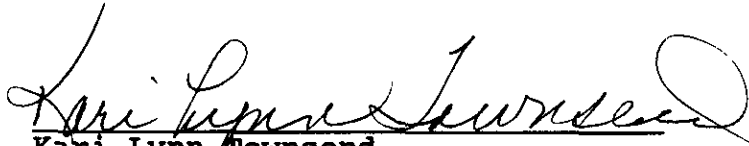
FEB 20 1958

CERTIFICATE OF MAILING

I hereby certify that on the 23rd day of February, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 55-07081

KINROSS DELAMAR MINING CO
PO BOX 52
JORDAN VALLEY OR 97910


Kari Lynn Townsend
Secretary

1 FEB 25 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

February 4, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

KINROSS DELAMAR MINING CO
PO BOX 52
JORDAN VALLEY OR 97910

RE: WATER RIGHT NO. 55-07081

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that your place(s) of use is in a location other than what was described on your permit. Therefore, before a license can be issued, the permit must be amended to depict your water right as it was actually developed.

The enclosed Application for Amendment form depicts the place(s) of use and other information as it will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208)327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED
FEB 25 1998

Memorandum																
To:	Water Right File 55-07081															
From:	Shelley W. Keen <i>SKK</i>															
Date:	2/4/98															
Re:	Volume of Ground Water Appropriated															
SW Injected	191	336	240	201	199	202	97	177	170	132	87	351	246	0	0	0
GW Withdrawn	191	246	257	191	194	193	177	170	147	183	293	242	103	103	105	105
Difference	0	90	-17	10	5	9	-80	-113	-15	-96	58	4	-103	-103	-105	-105
Account Balance	0	90	73	83	88	97	17	-96	-111	-207	-149	-145	-248	-248	-353	-353
GW Appropriated	0	0	17	0	0	0	80	113	15	96	0	0	0	103	103	105

MICROFILM
FEB 25 1998

KINROSS

DeLamar Mining Co.

February 15, 1996

RECEIVED

FEB 20 1996

Department of Water Resources

Mr Jim Johnson
Manager, Permits Section
Idaho Department of Water Resources
1301 North Orchard
Boise, Idaho 83720

Re Water Right No 55-07081, Well No 3 Information

Dear Mr Johnson:

Kinross is submitting beneficial use information on Well No. 3 for licensing of Water Right No. 55-7081 and also information on the amount of water injected into Well No. 3 from Jordan Creek. Kinross has a licensed water right for the use of 1.11 cfs of surface water from Jordan Creek (Water Right No. 55-7078). This water has historically been injected into Well No. 3 and then pumped for use in mining and milling processes. Although Kinross has not found the need to inject water from Jordan Creek into Well No. 3 for the past two years, Kinross has no intent of abandoning Water Right No. 55-7078 and will be putting the water to use.

Kinross requests that the Rate of Diversion remain 1.10 cfs as stipulated in the permit and that an annual Diversion Volume of 125 acre-feet be granted based upon the submitted information. The annual volume diverted from the well in excess of the volume injected into the well has been 113 acre-feet plus a 10% margin of safety which would equal a diversion of approximately 125 acre-feet. Thank you for the extension of time to submit this information.

Sincerely,



Mary Barraco
Superintendent, Safety
and Environmental Services

MKB/mb

Enclosure

c File

MICROFILMED
FEB 23 1996

TABLE #1

WATER PUMPED FROM JORDAN CREEK (GALLONS)

	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995
MAINTENANCE														
ADMIN	2,237,900	16,520,100	1,723,200	526,400	1,210,000	7,885,900	9,290,100	28,700	12,752,939	35,900	1,309,900	8,789,700	0	0
FEES	1,121,100	11,654,800	3,366,500	3,852,200	0	0	6,406,500	156,900	10,475,395	5,212,800	10,264,100	10,207,000	0	0
REPAIRS	0	0	1,097,700	13,120,300	0	0	0	0	0	0	12,600,300	5,937,700	0	0
RENTS	0	7,704,400	5,418,100	0	0	0	0	26,700	0	10,966,270	13,933,500	2,453,000	0	0
UTILITIES	0	5,097,300	0	4,948,600	2,120,100	14,801,560	2,032,100	0	824,367	64,800	10,971,800	0	0	0
TRAVEL	3,373,500	3,322,900	0	16,236,900	6,980,200	10,345,064	2,155,100	5,808,000	10,420,005	1,075,400	24,316,400	10,414,400	0	0
TELEPHONE	6,813,600	16,501,900	16,650,900	13,689,300	16,039,600	9,110,173	9,969,200	6,303,700	8,403,125	7,582,100	9,381,000	7,030,200	0	0
POSTAGE	9,212,800	10,418,300	12,925,500	7,637,400	10,548,800	0	0	12,200	0	3,388,900	499,400	11,650,800	0	0
INSURANCE	0	13,679,200	16,082,000	9,276,200	5,968,000	97,749	200,200	3,600	0	0	0	11,456,100	0	0
SEWER	5,394,900	15,150,900	8,262,800	5,837,300	13,694,000	2,551,240	1,413,000	802,800	0	0	4,635,600	5,035,800	0	0
DEVELOPMENT	11,136,000	1,810,300	552,100	13,986,000	3,736,100	10,732,800	71,800	651,300	0	0	11,633,100	7,277,800	0	0
NOV	13,051,500	7,738,600	12,186,300	9,065,300	4,390,300	10,400,455	38,200	4,821,900	24,000	0	14,688,500	12,300	0	0
DECS	9,972,000	109,598,700	78,265,100	98,175,900	84,887,800	85,924,941	31,576,200	18,615,400	42,899,631	28,328,170	114,263,600	80,264,800	0	0
TOTAL	62,313,300	191	336	240	301	159	97	57	132	87	351	246	0	0
Other Fees						202	97							

WATER PUMPED FROM WELL NUMBER 3 (GALLONS)

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

March 4, 1996

PHILIP L. BAIT
GOVERNOR

KARL J. DRIHLER
DIRECTOR

Mr. Richard A. Dye, Vice President, General Manager
Kinross DeLamar Mining Co.
PO Box 52
Jordan Valley, Oregon 97910

RE: Permanent Abandonment of Injection Well No. 55-W-1

Dear Mr. Dye:

Thank you for your letter of February 27, 1996, notifying us of your intention to allow the injection well permit to lapse. The injection well system was inspected by IDWR personnel in June, 1994, and the injection system had been disconnected at that time. Our records will, therefore, reflect a status of Permanent Abandonment for this well in regard to the injection activity. If any changes should occur regarding the use of this well for injection, please contact me.

A copy of your correspondence has been placed in the file for Water Right 55-07081 in order to clarify any questions regarding the use of the water. Thank you for your cooperation in this matter. Please contact me if you have any questions or if I can be of assistance.

Respectfully,

Helen L. Thornton
Groundwater Protection Section

RECEIVED

FEB 23 1996

KINROSS
DeLamar Mining Co.

RECEIVED

JAN 29 1996

Department of Water Resources

*em
1/30/96*

January 26, 1996

Mr. Jim Johnson
Manager, Permits Section
Idaho Department of Water Resources
1301 North Orchard
Boise, Idaho 83720

Re Water Right No. 55-07081
Well No. 3 Information

Dear Mr. Johnson:

Kinross received your letter dated January 23, 1996 requesting information on Well No. 3 production and usage rates at the DeLamar Mine. Kinross appreciates the extended time that the Idaho Department of Water Resources (IDWR) has allowed for the collection of data. Kinross requests until February 15, 1996 to format the data and submit it to IDWR. As per our telephone conversation of January 26, 1996, you stated that this would be acceptable. Thank you again for extending our response period. Kinross will be contacting you very soon with the requested information.

Sincerely,

Mary Barraco

Mary Barraco
Superintendent, Safety
and Environmental Services

MKB/mb

c: File

MICROFILMED

FEB 25 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 23, 1996

Mary Barraco
Kinross
DeLamar Mining Co.
P.O. Box 52
Jordan Valley, OR 97910

RE: Water Right No. 55-07081
Well No. 3 Information

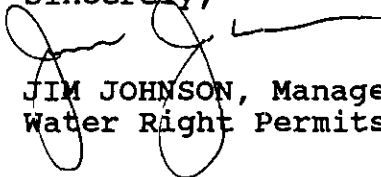
Dear Ms. Barraco:

I am writing you in regard to the information needed to complete licensing of the above referenced water right. I last spoke to you regarding the capacity of well no. 3 in association with Water Right No. 55-07081 on 06-07-95. At that time, you requested an additional six months to collect the well production information supporting the use of a larger annual volume of water than originally recommended under this right.

Please provide any information supporting the extent of water use from well no. 3 to this office for review and consideration. A licensing amendment will be prepared to reflect the final recommendations of the department for Right No. 55-07081 and returned for your signature. When the signed amendment is received, along with the current amendment fee of \$50.00, we will be able to proceed with approval of the license.

I appreciate your prompt cooperation in resolving this matter and will withhold the file from further action for 10 days to allow for your response. If no response is received, final recommendations will be made from the information provided through the field report and subsequent correspondence. If you have any questions regarding this matter, please contact me directly at (208) 327-7947 and I will be happy to assist you.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits, Section

1996

KINROSS
DeLamar Mining Co.

RECEIVED

MAR 01 1996

Department of Water Resources

February 27, 1996

Ms. Helen L. Thornton
Groundwater Protection Section
Idaho Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83720

Re: Injection Well No. 55-W-1

Dear Ms. Thornton:

According to Special Condition #9 of Kinross DeLamar Mining Company's Injection Well Permit No. 55-W-1, the permit expires on March 1, 1996. No water has been injected from Jordan Creek into the well since November, 1993. The injection line to the wellhead is disconnected and a steel plate was installed in the pipeline outside of the well house. The well supplies potable and industrial water for the mine site. The Idaho Division of Environmental Quality certified the well as a non-transient, non-community groundwater system in July of 1994. Therefore, Kinross does not plan to renew the injection well permit. Kinross reserves the right to use the well as a potable and industrial water supply under Water Right No. 55-7081. Kinross also reserves the water right license associated with the pumping and use of Jordan Creek water (No. 55-7078). Should you have any questions regarding this information, please contact me at (208) 583-2511.

Sincerely,



Richard A. Dye
Vice President, General Manager

RAD/mb

c: Stephen Rae, IDEQ
File

RECEIVED

FEB 25 1996

MEMORANDUM

Date: November 10, 1994
From: Jim Johnson
To: File
Subject: Meeting with Mary Barraco and Douglas E. Barto

=====

An agreement was reached in a meeting with the above to postpone further licensing processing under this permit until the impact of shutting off the Jordan Creek supply to the well is known.

Due to attempts by the right holder to comply with EPA standards meet surface water quality standards, diversion from Jordan Creek to the well has been discontinued. The right holder is hopeful that the well will yield sufficient supplies needed to supply the mining needs.

The right holder is carefully monitoring the water levels in the well to determine if the well will yield enough to meet their needs.

This file should be called up in six months.

6-7-95

Talked to Mary B. and she would like another 6 months. It is too soon to tell yet if the well is ~~capable~~ capable of supplying water. Allow an additional six months

Jim
6-8-95

UNRECORDED

FEB 25 1998

KINROSS

DeLamar Mining Co.

September 14, 1994

Mr. Jim Johnson, Manager
Water Rights Permit Section
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

RECEIVED

SEP 16 1994

Department of Water Resources

Re: Water Right #55-7081, Well #3

Dear Mr. Johnson:

Per our telephone conversation of September 12, Kinross will await for signature the corrected Application for Amendment to Water Right #55-7081 which will list the SWNW quarter of Section 8, T5S, R4W as an additional place of use at the mine (the heap leach building). Kinross requests that no cancellation proceedings begin on this permit application because of the Department's error. In addition, Well #3 is extremely important to our project as it is the only source of fresh water on the site.

On the Application for Amendment, the Department revised the annual volume of groundwater that could be appropriated under this permit from the requested amount of 796 acre feet per year to 105.2 acre feet per year. Attached please find the meter readings from Well #3 for the period November 1993, to August, 1994. During this time period **no water was pumped from Jordan Creek into the well.** Kinross has suspended pumping of Jordan Creek water due to improved water management practices. Currently, Well #3 only produces groundwater.

As you can see, the mine has used 117.01 acre feet during this time period. It is anticipated that the mine will pump an additional 47 acre feet during the last quarter of 1994. Therefore, Kinross requests that the Idaho Department of Water Resources reassess the appropriation due to the change in water management practices at the mine. Kinross requests that the appropriated amount be permitted as 155 acre feet (the expected 140.41 acre feet used in one year plus 10% contingency).

Should you have any questions regarding this information, please contact me at (208) 583-2511.

Sincerely,

Mary Barraco
Mary Barraco

Superintendent, Safety
and Environmental Services

KINROSS
DeLamar Mining Co.
P.O. Box 52
Jordan Valley, Oregon 97910
208-583-2511

MEMO

DATE: September 14, 1994

TO: Mary Barraco

FROM: Walt Sandel WLS

RE: Mine Water Usage from Water Well #3

DeLamar Mine used 117.01 acre feet of water from the time period of November, 1993, through August, 1994. The average water usage per month for this time period was 11.70 acre feet. Using this figure the projected water usage for the period January through December, 1994 would be 140.41 acre feet of water. Below is the meter readings for November, 1993, and August 1994, at Water Well #3.

November, 1993	16310000 gallons
August, 1994	54443520 gallons

Total Water Used 38133520 gallons or 117.01 acre feet



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 13, 1994

MARY BARRCO
KINROSS DELAMAR MINING CO
PO BOX 52
JORDAN VALLEY OR 97910

RE: WATER RIGHT NO. 55-07081

Dear Ms. Barrco:

Per our telephone conversation September 12th, the southern half of the NW $\frac{1}{4}$ of Section 8 has been added to the above referenced permit to reflect the entire place of use.

I am enclosing a corrected Application for Amendment which contains information that will be included on the license when it is issued. The fee of \$20.00 still applies since the amendment was originally solicited prior to the July 1st rate increases.

If you do not concur or have any questions with this information, please contact me as soon as possible. My telephone number is (208) 327-5947.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jim Johnson', written over a horizontal line.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosure

100-100-100
100-100-100

MEMORANDUM

Date: September 12, 1994
From: Jim Johnson
To: File 55-07081
Subject: Adjustment to Place of use

=====

Per telephone conversation with Mary Barrco, plant coordinator, I agreed to add two 40 acre tract locations to the place of use described in the water right. The reason for adding the tracts is because of the mining activity occurring in these areas that not readily identified on the maps of the facilities. I had visited the area in 1984 and do recall seeing equipment operating in these locations. The two tracts are the SWNW and SENW section 8.

While You Were Out...

For: <u>Jim</u>	
From: <u>Mary</u>	
<u>Delamar Mining</u>	
Telephone: <u>583-2541</u>	

- | | |
|--|---|
| ☒ Telephoned | ☒ Please Call |
| ☐ Wants to see you | ☐ Will call again |
| ☐ Returned your call | ☒ URGENT |
| ☐ Was here to see you | |

Message been calling for a
week - changes on amendment to
55-0-1081 you promised her,
she hasn't received it. Time is
running out to get it done
Time/Date: 9/12 4:15 Taken by: cxj

Post-It™ 7660 ©3M 1993

FILED
FEB 23 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 31, 1994

KINROSS DELAMAR MINING CO
PO BOX 52
JORDAN VALLEY OR 97910

RE: WATER RIGHT NO. 55-07081

Dear Water Right Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to correspond with the findings of the Department's field examiner.

As of this date, I have not received the amendment. If I do not receive it within fourteen (14) days, I will assume you no longer have any interest in the permit and cancellation proceedings will begin. Enclosed for your convenience is another amendment form in the event the first one was misplaced.

If you have any questions, please contact me. My telephone number is (208) 327-7947.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jim Johnson', followed by a horizontal line.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 20, 1994

KINROSS DELAMAR MINING CO
PO BOX 52
JORDAN VALLEY OR 97910

RE: WATER RIGHT NO. 55-07081

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the place(s) of use description. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur or have any questions with this information, please contact me as soon as possible. My telephone number is (208) 327-7947.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jim Johnson', written over a horizontal line.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

ADJUSTMENTS TO FIELD EXAM MEMORANDUM

TO: File 55-07081 / Kinross DeLamar Mining Co.
FROM: Brenda Chapman
DATE: June 15, 1994
RE: Adjustments Made

=====

* An adjustment or notes were made on the field exam in the following portion(s) based on the information below.

E. NARRATIVE/REMARKS/COMMENTS

Rather than use the recommended chart [Attachment 4] to determine the capacity of the system, I referred to the first exam conducted in 1984 for pumping plant information.

Theoretical Q [125 hp and 750 TDH] = 1.02 cfs.
The measured Q = 520 gpm or 1.15 cfs

F. FLOW CALCULATIONS

I used the above information for determining the rate of flow rather than instead of basing it on information from the 10 year total diversion chart [Attachment 4]. The recommended rate is the same as was permitted.

G. VOLUME CALCULATIONS

I did not use the highest year's diversion from the well as the basis for calculating the volume limit. I based my recommendation on actual gallons used minus any carryover from any previous years:

Gallons diverted from the well in excess of
the injection from Jordan Creek [1982 - 1991] + 104,667,243

Minus carryover gallons from previous
years not diverted from the well - 70,374,992

34,292,251

Formula = $34,292,251 \text{ gal} / 325,850 \text{ gal} = 105.2 \text{ af}$

MICROFILM

SEP 1 1994

ADJUSTMENTS TO FIELD EXAM MEMORANDUM - continued

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Mining	1-1 to 12-31	1.1	105.2

APPROVED

FEB 7 1960

LICENS REVIEW CHECKLIST

PERMIT NO. 55-7081 DATE 6-10-94



NAME	Yes ☒	No ☐	Or Address Change? <u>6-13-94</u> <u>6-15-94</u>
PRIORITY DATE	☐	☒	Advance? ☐ Advanced to: _____ Order to reinstate needed? _____ Incorrect fee for rate recommended? _____
SOURCE	☐	☒	Changes or just clarification of originally intended source? _____ Notice of Intent to Void necessary? _____
POINT OF DIV	☐	☒	Amendment needed? <u>This is well #3</u> Overlaps? _____
PLACE OF USE	☒	☐	Amendment needed? <u>ADD NENE + NESE OF SEC 3</u> Overlaps? <u>55,7078 + 55-2134 (surface water)</u>
DIV RATE	☐	☐	Measurement Q = <u>N/A</u> Theoretical Q = <u>N/A</u> <u>SEE ADJUSTMENT SHEET FOR RATE</u> <u>RECOMMENDATION CALCULATIONS</u> Capacity: <u>1.1</u> Combined rates exceed capacity _____ Permit/fee limits: <u>1.1</u> Allowable: <u>1.1</u>
ANNUAL VOLUME	☐	☒	Season of use: <u>1-1 to 12-31</u> Calculations: <u>SEE SHEET FOR INFO/105.2af</u> Flow limit: _____ cfs x _____ x 1.9835 Combined volumes exceed capacity/allowable _____
USES	☐	☒	Change in Nature of Use or additional uses? _____ Amendment necessary? _____
REMARKS	☒	☒	Multiple p/d(s) in 1/4 1/4? _____ Other _____
CONDITIONS	<u>P01</u>	☐	Measuring/Locking Devices _____ <u>P09</u> ☒ Watermaster control - District _____ <u>004</u> ☒ Irrigation Overlap _____ Water Quality _____ Other <u>SPECIAL</u>

COMMENTS: Rate reduced
Amend P/L

RECOMMENDED	CFS	VOLUME	LICENSE
<u>Mining</u>	<u>1.10</u>	<u>105.2</u>	1ST AMENDMENT LETTER <u>P41+P38</u>
_____	_____	_____	FINAL AMENDMENT LETTER <u>P47</u>
_____	_____	_____	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Re-Exam

Re-Exam

1 2 0 1 1554

A. GENERAL INFORMATION

Department of Water Resources

Permit No. 55-07081

1. Owner: Nerco Delamar Co. Phone No. 208-583-2511

Current Address: P.O. Box 52, Jordan Valley, OR 97910

2. Accompanied by: Steve McIntosh, Environmental EXAM DATE: 4-14-1993
& Linda Werner, IDWR Engineer

Address: Same as above Phone No. Same as above

Relationship to Permit Holder: Employee

3. Source: groundwater tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 55-07078
55-02134 (Injected into well)

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM also Note: Well Injection Permit #55-W-1

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	<u>6</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>8</u>	<u>5S</u>	<u>4W</u>	<u>Owyhee</u>	<u>1990 Topo (Z-54) & field exam</u>

2. Place(s) of Use:

Indicate Method of Determination Quad Z-54

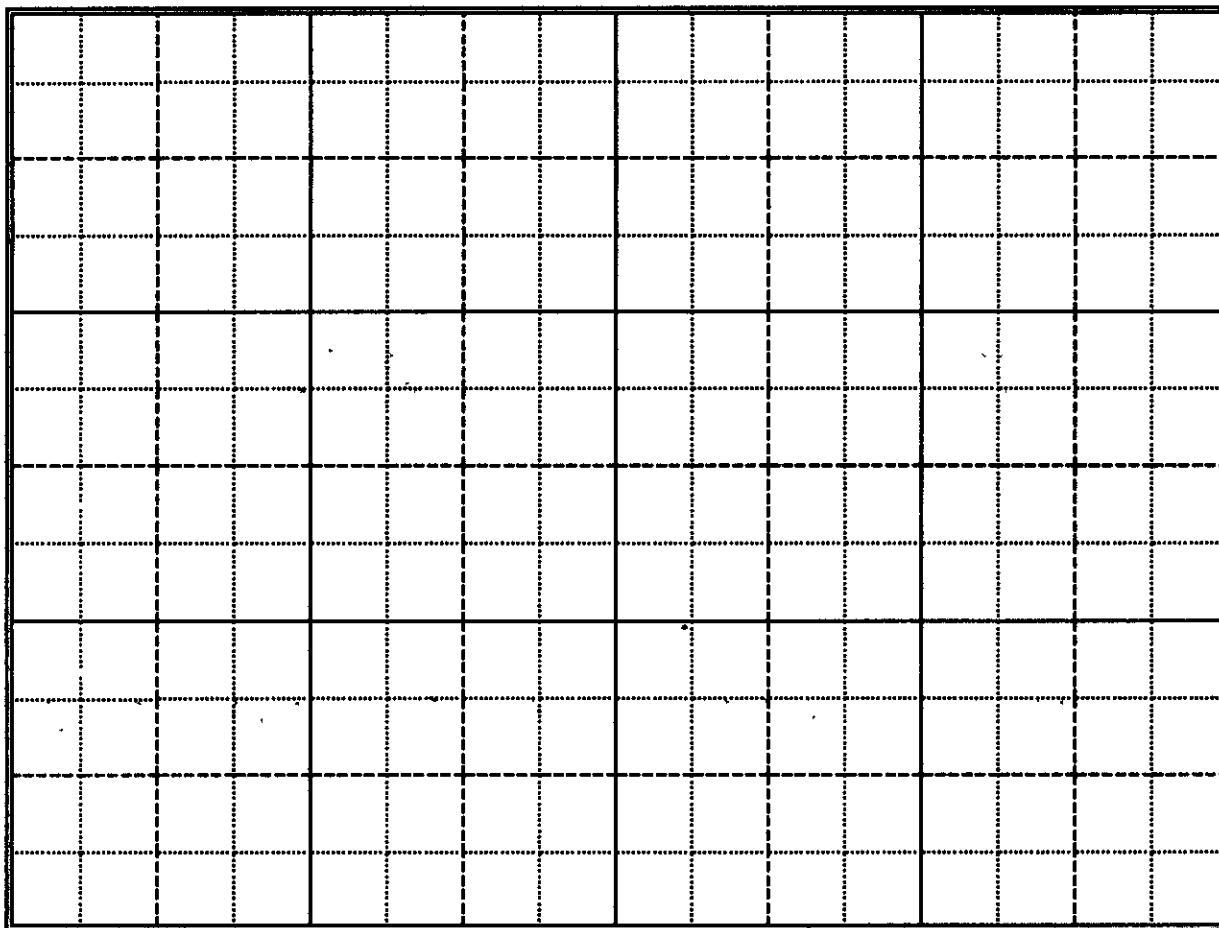
TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>5S</u>	<u>4W</u>	<u>8</u>	<u>X</u>		<u>GL5</u>	<u>GL6</u>									<u>X</u>				

X = Mining/Milling Place of Use

MODIFIED
FEB 21 1993

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

See Attachments #1 & #2



Scale: 1" =

See exam of 10-3-84 also.

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required)

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4. *Attachment #3*

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
<i>No. 3 Well</i>		<i>100</i>		<i>multistage submersible</i>	
<i>Booster Pump</i>		<i>25</i>			<i>A-6129-03-249</i>

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1. *NONE*

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: *Capacity based on Table No. 1 (Attachment #4) which shows differences between water pumped into well and water pumped out of well for a 10 yr. period.*

FEB 25 1988

E. NARRATIVE/REMARKS/COMMENTS

System consists of a 2000' well which is used as an injection well (55-W-1) or as a groundwater diversion. Water is diverted from Jordan Creek under license 55-02134 which may be injected into the well, or directly into a 500,000 gallon storage tank located in the SWNWNW, Sec. 9, T55, R4W. Well water is only used when Jordan Creek water is not available. Pursuant to Attachment #4, between 1982 and 1991 there were 5 years that more water was pumped out of the well than water pumped into the well from Jordan Creek. The total amount pumped into the well from Jordan Ck. during '82-'91 was 1,842 AF; the total amount pumped out during the same period was 1,949 AF. It is my conclusion that groundwater is used from this system. In 1989 there was 113 AF of g.w. diverted (this is the greatest amount in the time span given) which should be licensed as the capacity of the well.

Water from the well is pumped into the 500,000 gal. storage tank then into the milling process & for potable water building where it is treated and run into the domestic system ~~for~~ mine.

Have conditions of permit approval been met? ☒ yes ☐ no

* See attached "Adjustments to Exam" memo for explanation. *Feb 1993*

Additional Computation Sheets Attached

Method: $113 \text{ AF} \div 1.9835 \div 365 \text{ days} = 0.156 \text{ cfs}$
 $\approx 0.16 \text{ cfs}$

1. Volume Calculations for Irrigation:

$$V_{DB} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$$
$$V = \text{Smaller of } V_{LB} \text{ and } V_{DB} =$$

1984 = 17 AF
1988 = 80 AF
1989 = 113 AF
1990 = 15 AF
1991 = 96 AF

Figures based on Attachment No. 4. Used 1989 volume since it was the maximum amount diverted during this period. Note: water was in use at time of previous exam, just not documented as well.

1. Recommended Amounts

Period of Use

From

To

Rate of Diversion

Q (cfs)

Annual Volume

V (afa)

Mining

1-1

12-31

0.16 cfs

113.0

Totals: 0.16 cfs 113.0

Change P.D. as reflected above

Add P.D. as reflected above

None

Change P.U. as reflected above

~~Add P.U. as reflected above~~

Other

Kay Walker

Field Examiner's Name

KAY Walker

Date 2-10-1994

Reviewer

Date _____

SEAL

Reviewer _____ Date _____ SEAL _____

* SEE attached "Adjustments to Exam" Memo for explanation. BC
MICROFILMED

FEB 25 1998

WATER PUMPED FROM JORDAN CREEK (GALLONS)

WATER PUMPED FROM WELL NUMBER 3 (GALLONS)

[illegible]
$$\frac{105.2}{105.2} = 105.2$$

GALLONS
ADDITION

Table Number 1

WATER PUMPED FROM JORDAN CREEK (GALLONS)

MONTH	YEAR												AVERAGE	MAXIMUM	MINIMUM
	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993			
JAN	2,237,900	16,520,100	1,723,200	526,400	1,210,000	7,885,900	9,290,100	28,700	12,752,339	35,900	5,221,114	16,520,100	5,221,114	16,520,100	28,700
FEB	1,121,100	11,854,800	3,366,500	3,852,200	0	0	6,406,500	156,800	10,476,395	5,212,800	4,224,610	11,854,800	4,224,610	11,854,800	0
MAR	0	0	1,097,700	13,120,300	0	0	0	0	0	0	1,421,800	13,120,300	1,421,800	13,120,300	0
APR	0	7,704,400	5,416,100	0	0	0	0	28,700	0	10,968,270	2,411,547	10,968,270	2,411,547	10,968,270	0
MAY	3,373,500	5,097,300	0	4,948,600	2,120,100	14,801,580	2,032,100	0	824,387	64,800	3,326,233	14,801,580	3,326,233	14,801,580	0
JUN	6,813,600	3,322,900	0	16,236,900	6,990,200	10,345,064	2,155,100	5,806,000	10,420,005	1,075,400	6,316,717	16,236,900	6,316,717	16,236,900	0
JUL	9,212,800	16,501,800	16,650,900	13,698,300	16,039,600	9,110,173	9,968,200	6,303,700	8,403,125	7,592,100	11,346,280	16,650,900	11,346,280	16,650,900	6,303,700
AUG	0	10,416,300	12,925,500	7,637,400	10,548,800	0	0	12,200	0	3,388,900	4,483,110	12,925,500	4,483,110	12,925,500	0
SEP	5,394,900	13,679,200	16,082,000	9,276,200	5,968,000	97,749	200,200	3,600	0	0	5,070,165	16,082,000	5,070,165	16,082,000	0
OCT	11,136,000	15,150,800	8,282,800	5,637,300	13,894,400	2,551,240	1,413,000	802,800	0	0	5,904,844	15,150,800	5,904,844	15,150,800	0
NOV	13,051,500	1,810,300	552,100	13,986,000	3,736,100	10,732,800	71,600	651,300	0	0	4,488,180	13,986,000	4,488,180	13,986,000	0
DEC	9,972,000	7,738,600	12,186,300	9,065,300	4,390,300	10,400,455	38,200	4,821,600	24,000	0	5,863,878	12,186,300	5,863,878	12,186,300	0
TOTAL	82,313,305	109,598,706	76,285,190	86,175,906	64,867,500	85,626,341	31,574,206	18,615,400	42,888,551	28,326,179	66,854,394	109,598,706	66,854,394	109,598,706	18,615,400
acre-feet	181	339	242	301	199	302	97	47	132	47	149	339	149	339	47

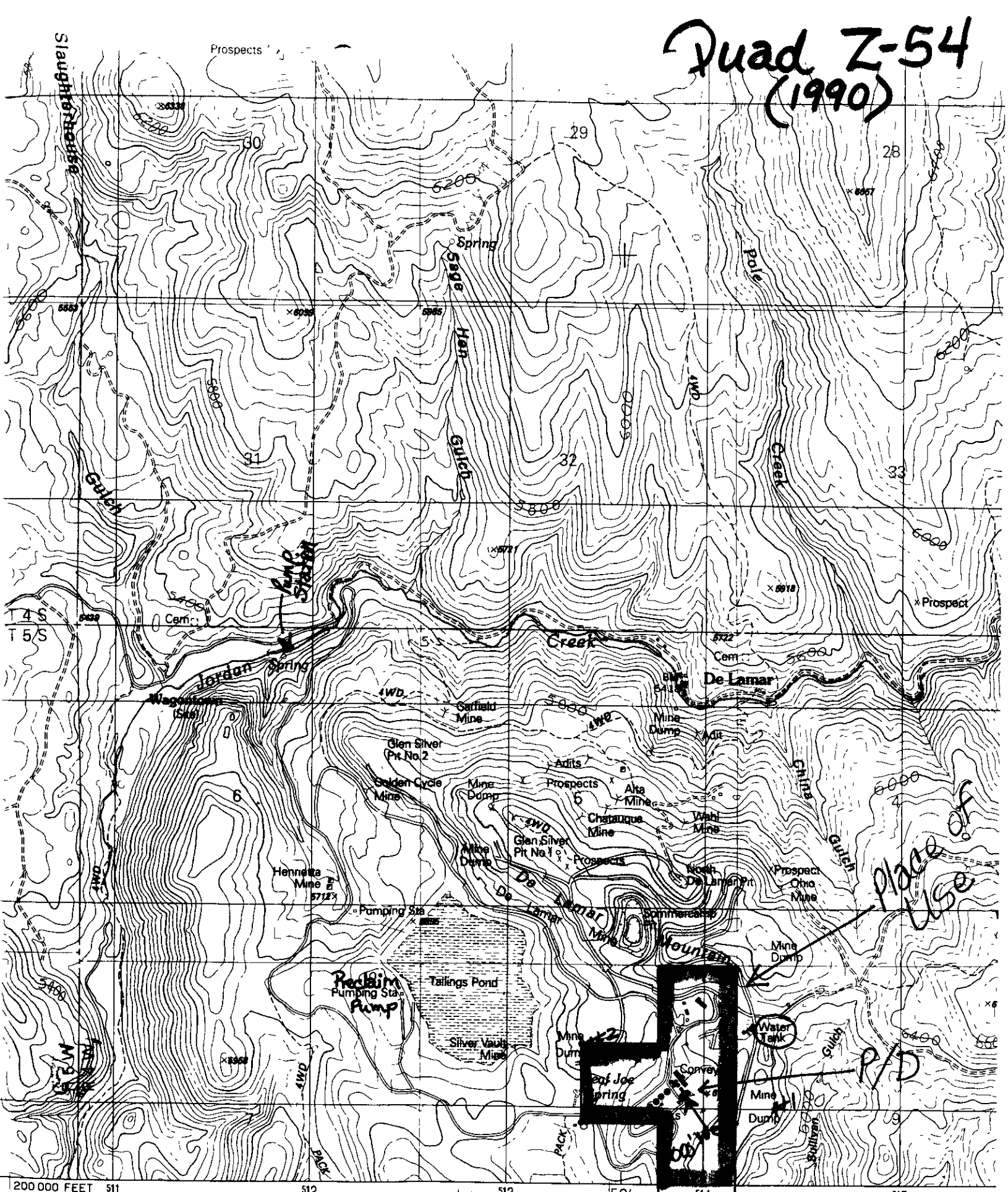
WATER PUMPED FROM WELL NUMBER 3 (GALLONS)

MONTH	YEAR												AVERAGE	MAXIMUM	MINIMUM
	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993			
JAN	7,833,000	7,032,300	5,979,500	3,853,000	4,157,500	3,373,800	2,538,400	4,074,100	3,473,335	5,199,800	4,791,574	7,833,000	4,791,574	7,833,000	2,538,400
FEB	6,645,000	5,345,900	7,355,600	4,220,300	4,760,300	3,247,700	3,807,100	3,488,400	3,427,719	4,175,000	4,647,302	7,355,600	4,647,302	7,355,600	3,247,700
MAR	5,893,300	5,323,600	7,817,900	5,511,500	5,702,100	4,466,100	3,432,800	3,631,600	2,593,597	4,237,400	4,840,990	7,817,900	4,840,990	7,817,900	2,593,597
APR	7,614,000	5,110,000	8,049,200	3,990,400	3,728,600	4,735,000	5,892,100	1,292,500	3,333,229	4,414,700	4,816,973	8,049,200	4,816,973	8,049,200	1,292,500
MAY	3,402,400	6,928,100	6,059,800	5,077,200	5,256,400	5,623,328	4,348,000	4,134,700	3,245,255	4,171,500	4,824,568	6,928,100	4,824,568	6,928,100	3,245,255
JUN	1,675,500	11,483,500	11,776,300	6,560,600	7,308,500	5,600,997	5,412,800	5,595,600	3,844,780	5,443,100	6,470,368	11,776,300	6,470,368	11,776,300	1,675,500
JUL	1,147,800	8,942,600	8,625,900	6,607,800	6,696,900	6,167,939	5,783,500	8,113,700	5,271,910	6,780,100	6,413,815	8,942,600	6,413,815	8,942,600	1,147,800
AUG	5,962,400	6,046,500	7,828,000	7,593,600	6,941,500	7,155,200	6,894,000	6,328,900	5,356,625	1,230,500	6,133,723	7,828,000	6,133,723	7,828,000	1,230,500
SEP	3,334,100	5,796,400	7,325,100	4,107,600	6,537,600	7,656,977	5,537,300	5,302,600	5,607,513	7,696,600	5,890,179	7,696,600	5,890,179	7,696,600	3,334,100
OCT	7,818,000	7,165,400	3,823,800	3,793,600	4,045,800	6,770,722	5,505,100	5,593,100	4,167,350	5,973,700	5,465,657	7,818,000	5,465,657	7,818,000	3,793,600
NOV	5,459,900	5,252,700	5,132,500	5,660,400	3,403,300	4,177,152	4,424,500	3,457,500	4,356,331	5,513,400	4,683,768	5,660,400	4,683,768	5,660,400	3,403,300
DEC	5,922,300	5,602,700	3,898,600	5,163,200	4,569,400	3,965,336	4,145,000	4,410,100	3,212,000	4,806,900	4,569,614	5,922,300	4,569,614	5,922,300	3,212,000
TOTAL	62,300,300	80,029,700	83,673,200	62,139,200	63,107,900	62,940,248	57,721,600	55,422,800	47,889,644	59,642,700	63,487,559	83,673,200	63,487,559	83,673,200	47,889,644
acre-feet	191	246	258	191	194	193	137	178	147	143	198	257	198	257	147

↑ Years well water was diverted & beneficially used in mining/milling operation.

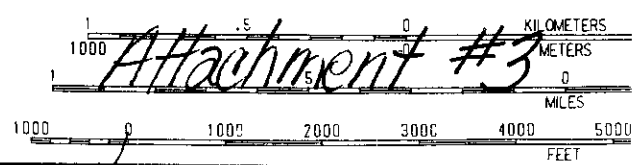
Attachment #4

Quad Z-54
(1990)



BY THE UNITED STATES GEOLOGICAL SURVEY
 FROM AERIAL PHOTOGRAPHS TAKEN USGS, NOS/NOAA
 ED 1963
 ED 1965
 FROM AERIAL PHOTOGRAPHS TAKEN 1964
 ED 1987
 MAP EDITED 1990
 TRANSVERSE MERCATOR
 FOOT UNIVERSAL TRANSVERSE MERCATOR ZONE 11
 FOOT STATE GRID TICKS IDAHO, WEST ZONE

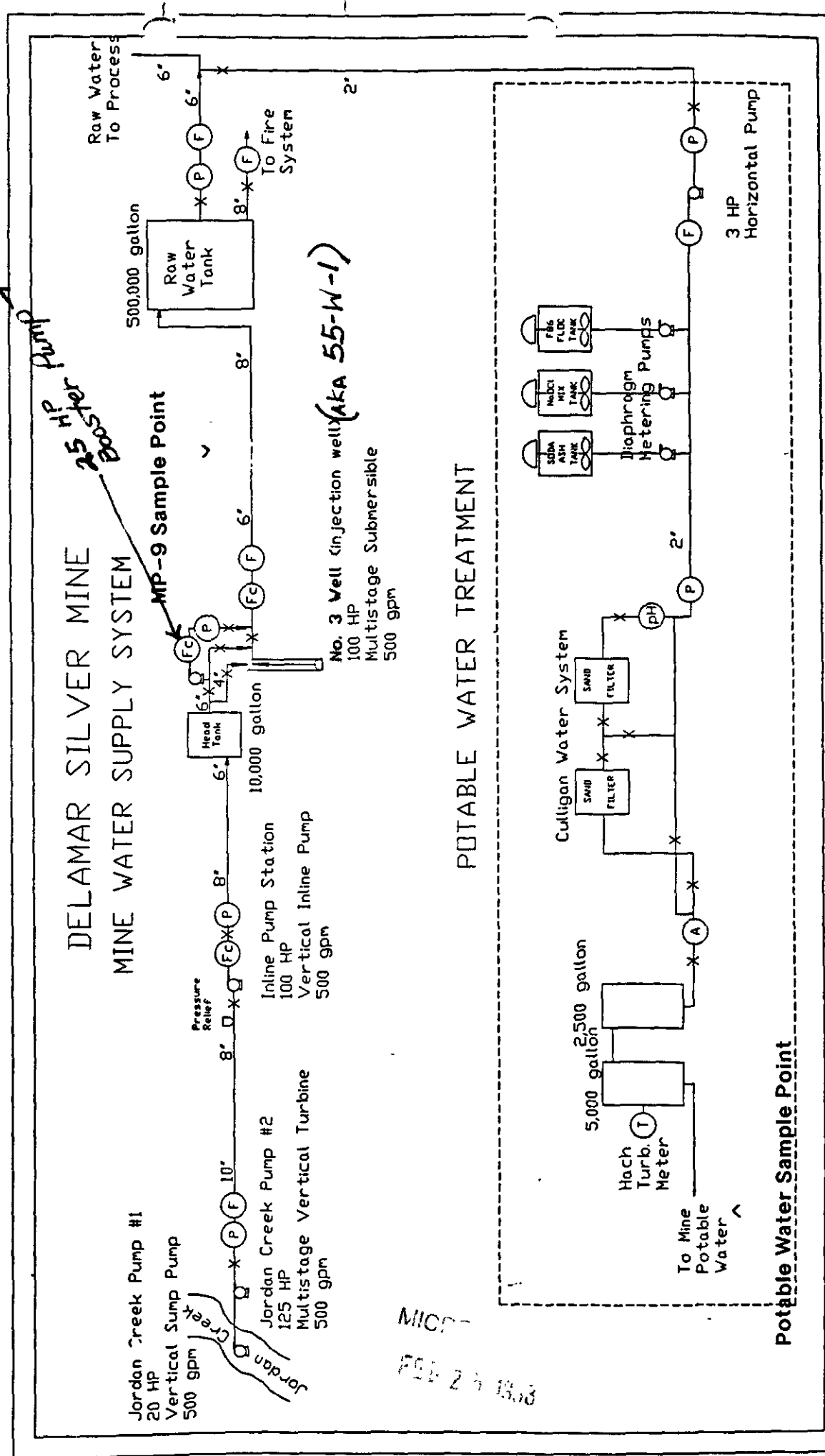
SCALE 1:24



NORTH
 100
 1000

55-07081

Raw Water Tank
to "Boost" storage
to 20 HP Vertical Sump Pump

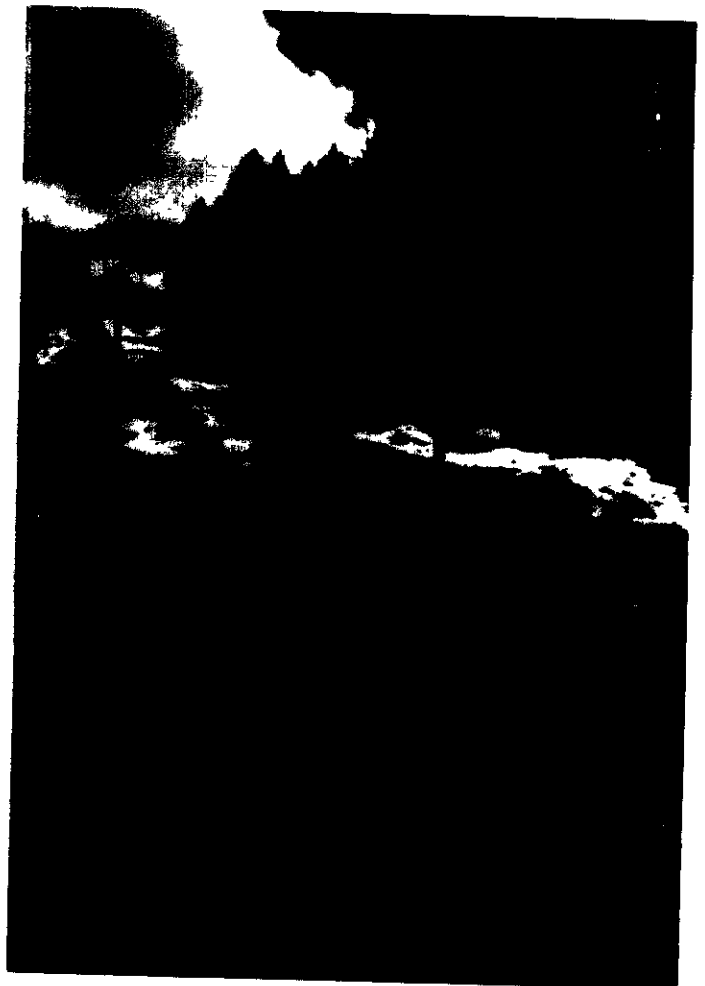


DESIGNER	DATE
DELAMAR, INC.	3/28/92
GENERAL FLUID/SHEET	
90-18-001	

Attachment #1



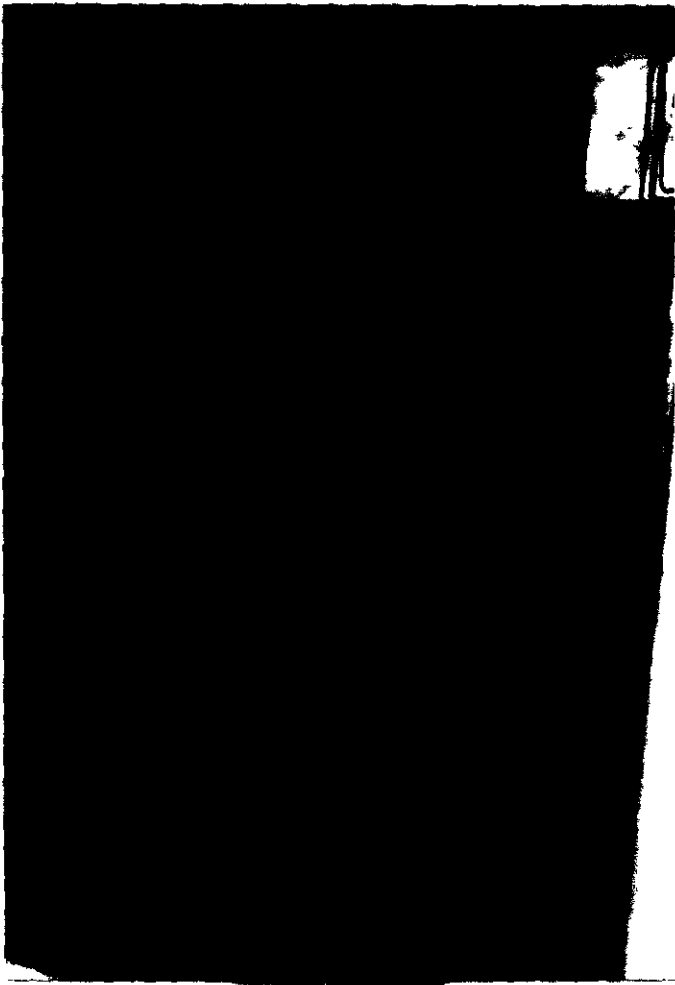
Pump on
Jordan Creek -
located in
NWNENE, S6,
T. 5S, R. 4W.
Booster pump
in building



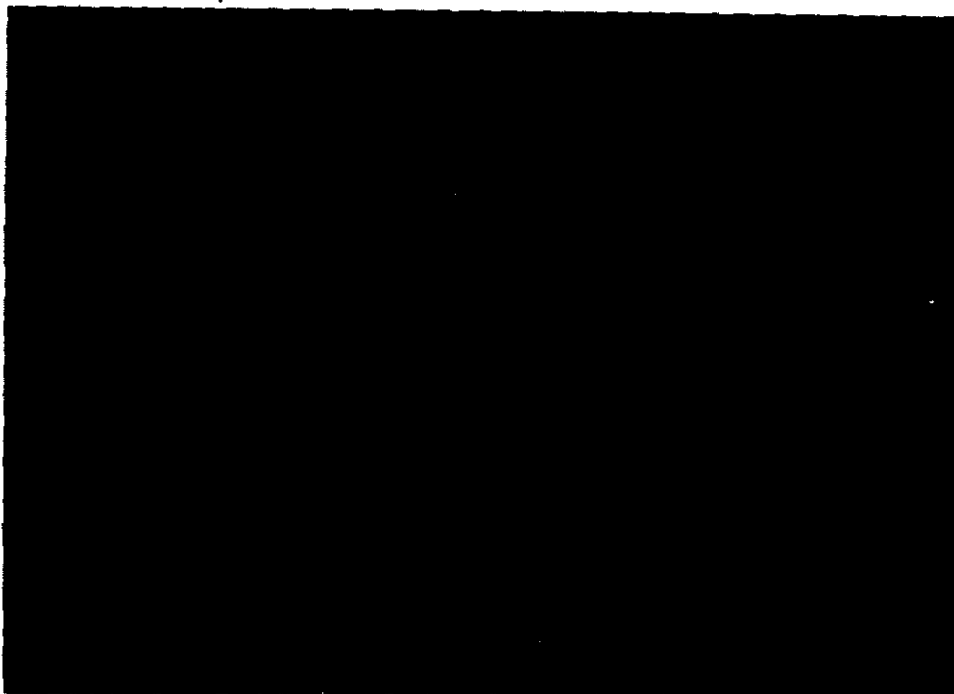
Note pipeline
running from
building up the
mountain - this
line delivers water
from Jordan Cr.
to mine - Pipeline
13,000' long.

FEB 23 1993

Pictures taken by Linda Werner 4-14-93.



2000' well located in SWSENE, Sec. 8,
T. 5S, R. 4W.



Booster pump
& pipeline
outside well
building - used
to prevent water
from ponding
around well in
building.

APR 14 1993
FEB 11 1993

Pictures taken by Linda Werner 4-14-93.

4-14-1993

500,000 gallon
storage tank
located in
NWNW, Sec. 9, T. 55,
R 4W



Potable water
building - see
general flow
sheet for
potable water
treatment.

Photos taken by Linda Werner.

FILED
APR 25 1993



Overall
view of mine
from
vantage
point.

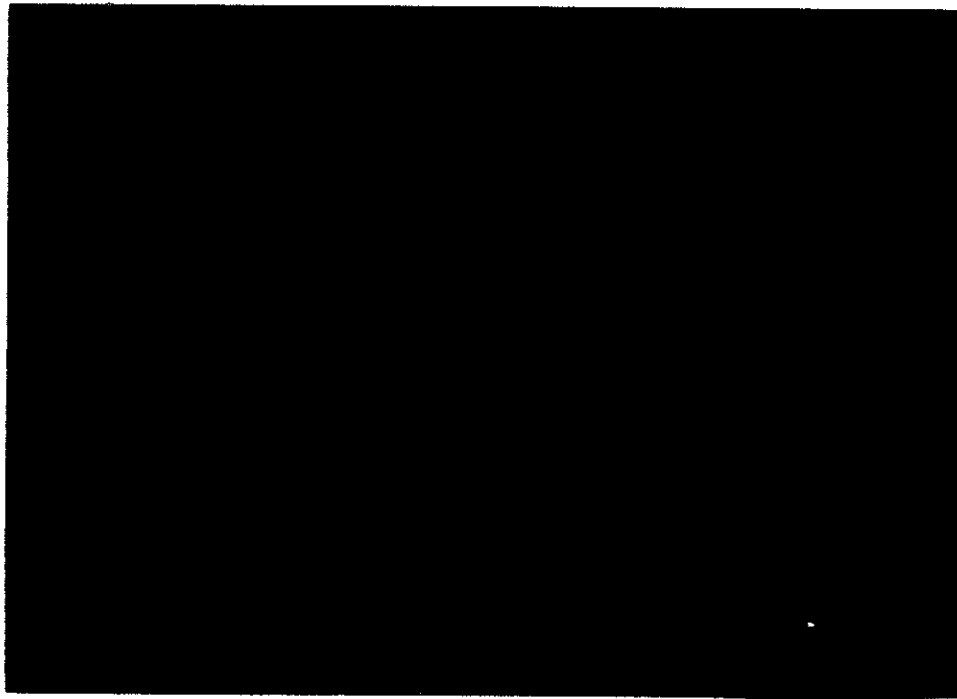


Green
line
injects
Jordan
Ck. water
into
well.

2000' well & booster
pump
located in
SWSENE, Sec. 8,
T. 5S, R. 4W -

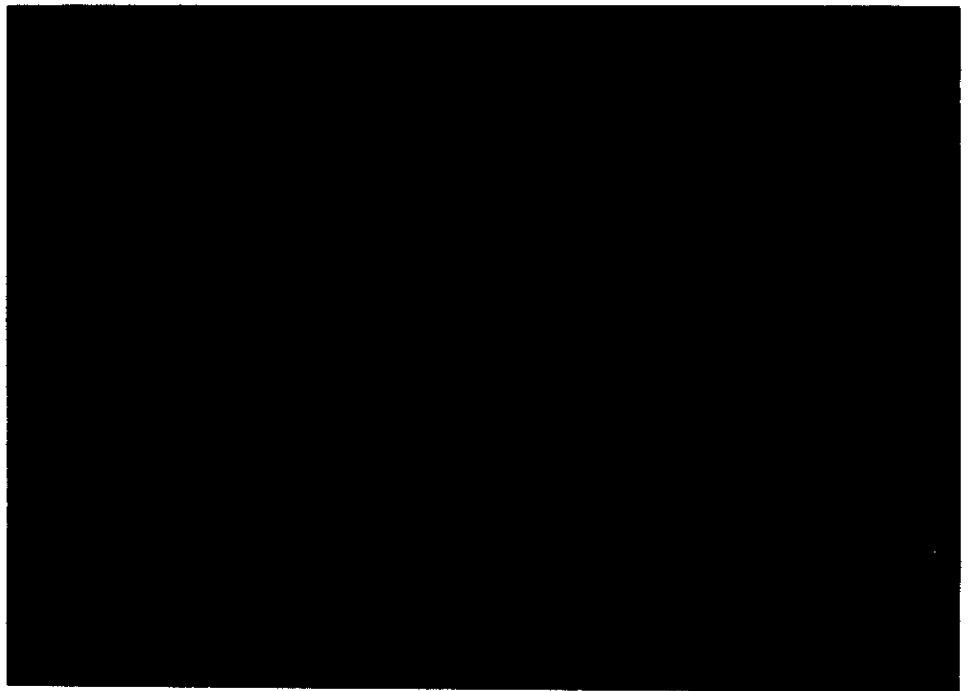
Water from Jordan
Ck. can be injected
into well or
bypass well and
put into storage
tank.

Pictures taken by Linda Werner 4-14-93.



AVR towers-
installed to
clean water
after it has
gone through
milling process
before discharge
into pond.

Tailings pond
in NW $\frac{1}{4}$, S. 8;
NENE, S. 7;
SESE, S. 6;
S $\frac{1}{2}$ SW, S 5;
T. 5S, R. 4W.
Water in
pond is now
potable -



FEB 25 1993

Pictures taken by Linda Werner 4-14-93.



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 15, 1994

Daniel A. Jensen, Esq.
Kimball, Parr, Waddoups, Brown & Gee
P.O. Box 11019
Salt Lake City, Utah 84147-0019

Re: Water Right Nos. 55-2134, 55-7078, 55-7079, 55-7081, 55-7376,
55-7399, 55-7429

Dear Mr. Jensen:

We are in receipt of your letter dated April 12, 1994. Thank you for submitting such complete information.

Our data base has been changed to reflect the new name from NERCO DeLamar Company to Kinross DeLamar Mining Company with an address of P.O. Box 52, Jordan Valley, Oregon 97910.

The copies you sent have been placed in the water right files for future reference.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jim Johnson', written over the typed name.

Jim Johnson
Water Rights Supervisor

MICP LMEJ
FEB 23 1994

LAW OFFICES OF
KIMBALL, PARR, WADDOUPS, BROWN & GEE

A PROFESSIONAL CORPORATION

SUITE 1300
185 SOUTH STATE STREET
POST OFFICE BOX 11019
SALT LAKE CITY, UTAH 84147-0019
TELEPHONE (801) 532-7840
TELECOPIER (801) 532-7750

OF COUNSEL
CHARLES L. MAAK
BRUCE A. MAAK
KENT H. COLLINS

DALE A. KIMBALL
CLAYTON J. PARR
CLARK WADDOUPS
RICHARD G. BROWN
DAVID E. GEE
SCOTT W. LOVELESS
PATRICIA W. CHRISTENSEN
DAVID K. REDD
ROBERT G. HOLT
JAMES C. SWINDLER
ROBERT B. LOCHHEAD
GARY A. DODGE
ROBERT S. CLARK
ALAN R. ANDERSEN
MICHAEL M. LATER
CAROLYN B. MCHUGH
STEVEN J. CHRISTIANSEN
SCOTT F. YOUNG
VICTOR A. TAYLOR
RONALD G. RUSSELL
ROGER D. HENRIKSEN
MARK E. WILKEY
MATTHEW B. DURRANT
JILL N. PARRISH
BRIAN J. ROMRIEL
MARY SHEA TUCKER
GREGORY D. PHILLIPS
JOHN R. ERICKSON
DAVID G. ANGERBAUER
HEIDI E.C. LEITHEAD
JOHN M. BURKE
STEPHEN E. W. HALE
DANIEL A. JENSEN
MARK F. JAMES
DAVID B. HANCOCK
BRIAN G. LLOYD
DAVID F. CRABTREE
SCOTT R. RYTHER
GREGORY M. HESS
TERRY E. WELCH
JEFFREY J. HUNT
PAUL C. DRECKSEL
CLAY W. STUCKI
THOMAS R. LEE
D. MATTHEW DORNY
JEFFREY M. MOSS
MARGARET E. WILSON

April 12, 1994

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706

Re: Water Right Nos. 55-2134, 55-7078, 55-7079,
55-7081, 55-7399, 55-7376 and 55-7429,
DeLamar and Stone Cabin Mines, Owyhee County, Idaho

Gentlemen:

NERCO DeLamar Company, an Oregon corporation, the former owner of the above-referenced water rights, was acquired by Kinross Gold U.S.A., Inc., a Nevada corporation ("Kinross"), effective August 3, 1993. The acquisition was pursuant to a stock purchase agreement between NERCO Minerals Company, an Oregon corporation (the parent corporation of NERCO DeLamar Company) and Kinross. The attached copies of an Irrevocable Stock Power dated August 2, 1993 and the attached stock certificates show that all 10 of the outstanding shares of NERCO DeLamar Company stock are now held by Kinross.

The name of NERCO DeLamar Company was changed, effective August 11, 1993, to Kinross DeLamar Mining Company, as evidenced by the attached certificate from the Oregon Secretary of State. The name change was recognized by the Idaho Secretary of State on August 13, 1993, as shown by the attached certificate. Kinross DeLamar Mining Company remains an Oregon corporation.

In light of these transactions, would you please amend your records and database to show Kinross DeLamar Mining Company as the current record owner of the seven water rights referenced above, and place a copy of this letter and its attachments in the files for each of the seven water rights. Six extra copies of this letter are enclosed for your convenience.

MICROFILMED

FEB 2 -

KIMBALL, PARR, WADDOUPS, BROWN & GEE

Idaho Dept. of Water Resources
April 12, 1994
Page 2

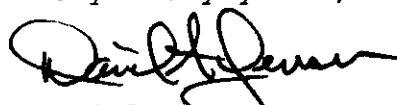
Please note that the address for Kinross DeLamar Mining Company is:

Kinross DeLamar Mining Company
P.O. Box 52
Jordan Valley, OR 97910
(208) 583-2511

If you need any additional information in order to show Kinross DeLamar Mining Company as the record owner of these rights, please let me know. Would you please also let me know as soon as the title changes have been made.

Thank you for your assistance.

Very truly yours,


Daniel A. Jensen

DAJ/wr
Enclosures

cc: Doug Barto (w/encls.)

IRREVOCABLE STOCK POWER

FOR VALUE RECEIVED, the undersigned, NERCO Minerals Company hereby sells, assigns, and transfers to Kinross Gold U.S.A., Inc., 10 Shares of the Capital Stock of NERCO DeLamar Company standing in the name of the undersigned on the books and records of NERCO DeLamar Company and represented by Certificate No. 1, and hereby irrevocably constitutes and appoints _____ as attorney to transfer the said Shares on the books of the within named Company with full power of Substitution in the Premises.

NERCO MINERALS COMPANY

DATED: August 2, 1993

By: _____
Its: _____

IN THE PRESENCE OF

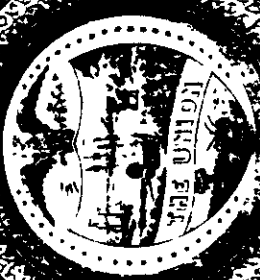
SIGNATURE(S) GUARANTEED

(By Bank of Member of the New York
Stock Exchange)

By: _____
Authorized Signature

SEE LEGEND ON REVERSE SIDE

INCORPORATED UNDER THE LAWS OF OREGON



NUMBER

SHARES

1

10

NERCO DeLamar Company

The Certificate Book

to the owner of Ten

NERCO Minerals Company

NERCO DeLamar Company

*Shares of the Capital Stock of
transferable only in books of this Corporation in person or by Attorney
upon surrender of this Certificate properly endorsed.*

IN WITNESS WHEREOF, the said Corporation has caused this Certificate to be signed
by its duly authorized officers and its Corporate Seal to be hereunto affixed
this 7th day of September A.D. 1984

Vice President

Secretary

Orville M. Carter

No Par Value

PAID

SHARES

FEB 26

SEE LEGEND ON REVERSE SIDE

NUMBER

SHARES

10



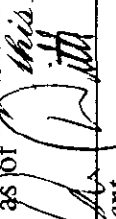
KINROSS DELAMAR MINING COMPANY

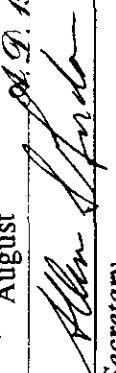
Organized under the Laws of the State of Oregon

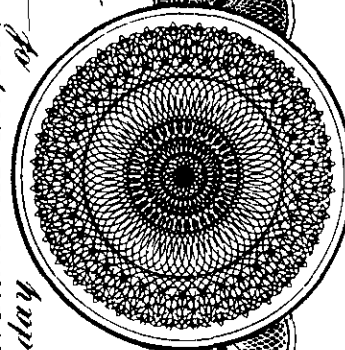
This Certificate is the
registered holding of Ten Shares
of Common Stock

transferable only on the books of the Corporation by the holder hereof in person or by Attorney upon surrender of this Certificate properly endorsed.

In Witness Whereof, the said Corporation has caused this Certificate to be signed
by its duly authorized officers and its Corporate Seal to be hereunto affixed
as of this 21st day of August, 1933


President


Secretary





Office of the Secretary of State Corporation Division

I, **Danet Sullivan**, *Director of the Corporation Division*,

DO HEREBY CERTIFY:

That the attached copy of the **Articles of Amendment** filed
on August 11, 1993 for:

KINROSS DELAMAR MINING COMPANY

is a true copy of the original document that has been
filed with this office.

Danet Sullivan

Director

By *Marilyn K. Smith*

Date *11 August 1993*

FILED
FEB 1998

202850-11

Nov 11/93 1:07PM 800H3269

\$55900

FILED

AUG 11 1993

ARTICLES OF AMENDMENT
TO THE RESTATED ARTICLES OF INCORPORATION SECRETARY OF STATE
OF
NERCO DeLAMAR COMPANY

PURSUANT to the provisions of Section 60.431, et seq., of the Oregon Revised Statutes, the undersigned corporation adopts the following Articles of Amendment to its Restated Articles of Incorporation:

FIRST: The name of the corporation is NERCO DeLamar Company (the "Company").

SECOND: The following amendment to the Restated Articles of Incorporation of the Company was adopted by the sole shareholder of the Company on August 2, 1993:

Article I of the Restated Articles of Incorporation is hereby amended to read as follows:

ARTICLE I

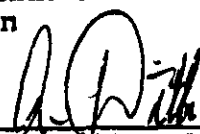
The name of the Company is KINROSS DeLAMAR MINING COMPANY and its duration shall be perpetual.

THIRD: The number of shares of common stock of the Company outstanding at the time of such adoption was Ten (10); and the number of such shares entitled to vote thereon was Ten (10). No other class of shares was issued and outstanding.

FOURTH: All of the outstanding shares were voted for the amendment; no shares were voted against the amendment.

DATED this 2 day of August, 1993.

NERCO DeLAMAR COMPANY, an Oregon corporation

By 
Arthur H. Ditto, President

MAILED
FEB 23 1993

8-11-93
R6
f

State of Idaho

Department of State

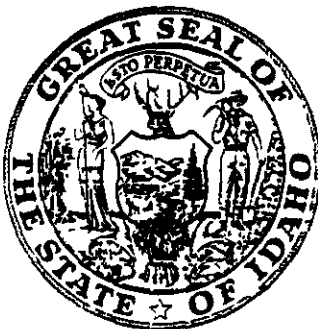
AMENDED CERTIFICATE OF AUTHORITY OF

NERCO DELAMAR COMPANY

I, PETE T. CENARRUSA, Secretary of State of the State of Idaho, hereby certify that duplicate originals of an Application of NERCO DELAMAR COMPANY for an Amended Certificate of Authority to transact business in this State, duly signed and verified pursuant to the provisions of the Idaho Business Corporation Act, have been received in this office and are found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I issue this Amended Certificate of Authority to KINROSS DELAMAR MINING COMPANY to transact business in this State under the name KINROSS DELAMAR MINING COMPANY and attach hereto a duplicate original of the Application for such Amended Certificate.

Dated: August 13, 1993



Pete T. Cenarrusa
SECRETARY OF STATE

By *[Signature]*

FEB 25 1994

APPLICATION FOR AMENDED CERTIFICATE OF AUTHORITY

To the Secretary of State of the State of Idaho:

Pursuant to Section 30-1-118, Idaho Code, the undersigned Corporation hereby applies for an amended certificate of authority to transact business in the State of Idaho and for that purpose submits the following statement.

1. A Certificate of Authority was issued to the corporation by your office on September 10, 19 84, authorizing it to transact business in the State of Idaho under the name of NERCO DeLamar Company.
2. Its corporate name has been changed to Kinross DeLamar Mining Company.

(Note: If the corporation name has not been changed, insert "No change.")

3. The name which it shall use hereafter in the State of Idaho is Kinross DeLamar Mining Company.

4. It desires to pursue in the transaction of business in the State of Idaho purposes other than or in addition to those set forth in its prior application for certificate of authority, as follows:
No change

(Note: If no additional purposes are proposed, insert "No change.")

Dated 8/10/93

NERCO DeLamar Company

(Corporation Name)

By A. H. Ditto

Its President (please specify)

And Allen S. Gordon

Its Secretary/Assistant Secretary (please specify)

STATE OF UTAH)

COUNTY OF SALT LAKE) ss:

I, Scott W. Loveless, a notary public, do hereby certify that on this 10th day of August, 19 93, personally appeared before me Arthur H. Ditto / Allen S. Gordon, who being by me first duly sworn, declared that (s)he is the President and Secretary of NERCO DeLamar Company.

that (s)he signed the foregoing documents as President and Secretary of the corporation and that the statements therein contained are true.

Scott W. Loveless
Notary Public
185 South State Street, Suite 111
Salt Lake City, Utah 84103
Application and filing fee to:
Office of the Secretary of State
Corporations Division
Statehouse, Room 203
Boise, Idaho 83720

Secretary of State use only

IDAH0 SECRETARY OF STATE
19930813 0900 13004 2
CK #: 1116 CUST# 1
CORP 10 30.00= 30.00

: C

KINROSS DeLAMAR MINING COMPANY

P.O. Box 52
Jordan Valley, Oregon 97910
208-583-2511

RECEIVED
AUG 18 1993
Department of Water Resources

August 10, 1993

TO: All DeLamar Vendors *m. q*
FROM: Mike Durning, Purchasing Agent
RE: DeLamar - Change of Ownership

As of August 2, 1993, NERCO DeLamar Mine was sold to Kinross Gold USA, Inc. The DeLamar Mine is now known as **Kinross DeLamar Mining Company**. The mailing address and phone number for DeLamar remains the same:

P.O. Box 52
Jordan Valley, OR 97910
(208) 583-2511
(208) 583-2516 FAX

The address for the corporate headquarters of Kinross Gold USA, Inc. is:

185 South State Street
Suite 400
Salt Lake City, UT 84111
(801) 363-9152
(801) 363-8747 FAX

If you have any questions, please contact me.

Please initiate this name change at your earliest convenience.

MD/cs

55-7079
55-7081
55-7316
55-7429

Mike Durning
55-7079



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

November 23, 1987

NERCO Delamar Co.
111 S.W. Columbia
Suite 600
Portland, OR 97201

RE: Permit to Appropriate Water No. 55-7081

Dear Permit Holders:

NOTICE OF PENDING ORDER VOIDING PERMIT

On November 5, 1975 the Department of Water Resources approved an application to appropriate water, numbered 55-7081, from a groundwater source, for mining and milling purposes located in the SENE, S8, T5S, R4W, B.M.

Based on a field inspection conducted by a representative of our Department it has come to our attention that you have not developed the system you intended under this permit.

The purpose of this letter is to request that you relinquish your permit or explain why the Department should not void the permit. Enclosed is a relinquishment form that should be signed and returned to this office, unless you have some explanation that would prevent the Department from voiding your permit.

If you fail to respond to this notice within thirty (30) days of the date of mailing of this letter, the Department will act to void your permit. The permit will be voided on the grounds that you failed to divert and beneficially use the water that you were permitted to develop.

If you have any questions in regard to this matter, please feel free to contact our office.

Respectfully,

GARY SPACKMAN
Supervisor, Water Allocation Section

I hereby certify that on this 23rd day of November, 1987, I sent the original copy of this letter, postage prepaid, to the person and address listed above.

Shirley Curtis

FILED
FEB 25 1988

MEMORANDUM

TO: Files 55-7079/7081/7104

FROM: Jim Johnson *gw*

DATE: October 3, 1987

RE: Supplement to Field Report on Water Use

On October 3, 1984, Jan Grover and I conducted a field examination to determine the extent of beneficial use of water under rights 55-7079, 55-7081 and 55-7104.

Our initial contact was with Thomas J. Weitz, Mine Superintendent. He referred us to Pat Sheehan, Plant Manager, who gave us a tour of the milling plant water facilities.

Water Use

The DeLamar mining operation uses water for the milling plant, domestic, dust control and fire protection purposes. The majority of the water use is in the milling plant. Some of this water is consumed, however, most of it is used to convey solid material from the plant to a sediment pond. Clean water from the sediment pond is recycled to the milling plant for re-use.

Sources

Sources of water supply for the mining operation use mainly Jordan Creek and recycled water from the sediment pond. Several wells have been drilled but none had sufficient yield and all but one have been abandoned.

Distribution System

The water distribution system consists of a pumping plant located on Jordan Creek, licensed under Right 55-7078, and a pipeline from the creek to the milling site. Water reaching the site is either diverted to a 200,000 gallon storage tank or injected into a 12" well 2000 feet deep. The injected water (from the well) can be pumped to the storage tank by a submerged pump and 125hp motor.

Water from the storage tank is conveyed to the milling plant, and/or domestic treatment facility, and/or a truck water stand. Water leaving the milling plant is mixed with solid material creating a slurry which is conveyed to the sediment pond. Located at the sediment pond is a pumping plant which diverts the water into a 10" pipeline leading back to the milling plant.

100-100000
55-7079
10/5/1987

Water Appropriated Under Permit 55-7081

Confirmation was made during the examination that a well had been drilled and that a pump and 125hp motor had been installed in the well. However, no groundwater had been appropriated.

Based upon information provided by Mr. Sheehan, the water from Jordan Creek is discharged into the well continuously unless Jordan Creek goes dry, equipment needs repair, or if water levels in the well resulting from Jordan Creek injection get too high.

Mr. Sheehan reported that 12 to 14 million gallons per month were being diverted from Jordan Creek and about 5.5 million gallons per month were used for the plant milling process.

On an annual basis, the mining operation requires 202.5 af and the Jordan Creek diversion supplies 360.9 af. Mr. Sheehan estimated that the pumps from Jordan Creek run about 70% of the year. The difference between 360.9 and 202.5 af, or 158.4 af, is supplied by withdrawing the water injected into the well.

When the Jordan Creek diversion is shut-down, water can be diverted from the well to the storage tank at a rate of 1.16 cfs. This rate will produce about 291.9 af. However, only 60.75 af is required for the milling plant during the shut-down period, therefore, of the 158.4 af injected into the well, only 60.75 af is rediverted to the milling plant, leaving a balance of 97.7 af unused and left in the well, which is assumed to be recharging the groundwater aquifer.

Recommendation

The above information provides a convincing conclusion that the well in use is not for the purpose of diverting from a groundwater source but rather used as an underground storage facility for rediverting Jordan Creek water when the pumping station on Jordan Creek is shut down.

Therefore, the recommendation for permit 55-7081 is that it be cancelled on the basis that no beneficial use was developed.

RECEIVED
FEB 25 1973

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Permit No. 55-7081

Phone No. _____

1. Owner: NEECO DELAMAR COMPANY Phone No. _____
Current Address: 111 S.W. Columbia, Suite 600 Portland Ore.
2. Accompanied by: PAT SHEEHAN EXAM. DATE: 10-3-84
Address: _____ Phone No. _____
Relationship to Permit Holder: Plant Manager
3. Source: groundwater tributary to _____

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Well #3	Pleuger	125	284683	JACUZZI	318560018

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

- 5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)**

12" well to 1006', 8" casing to 2000'
pump set at 920' below ground surface

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Muesco Flow METER	FLOW	MUESCO	UNK	782048	N/A	N/A

7. Measurements ☐ Additional data/computation sheets attached

Direct Reading from meter: 520 gpm

- | 8. Point(s) of Diversion: | Indicate Method of Determination |
|---------------------------|----------------------------------|
|---------------------------|----------------------------------|

[illegible]

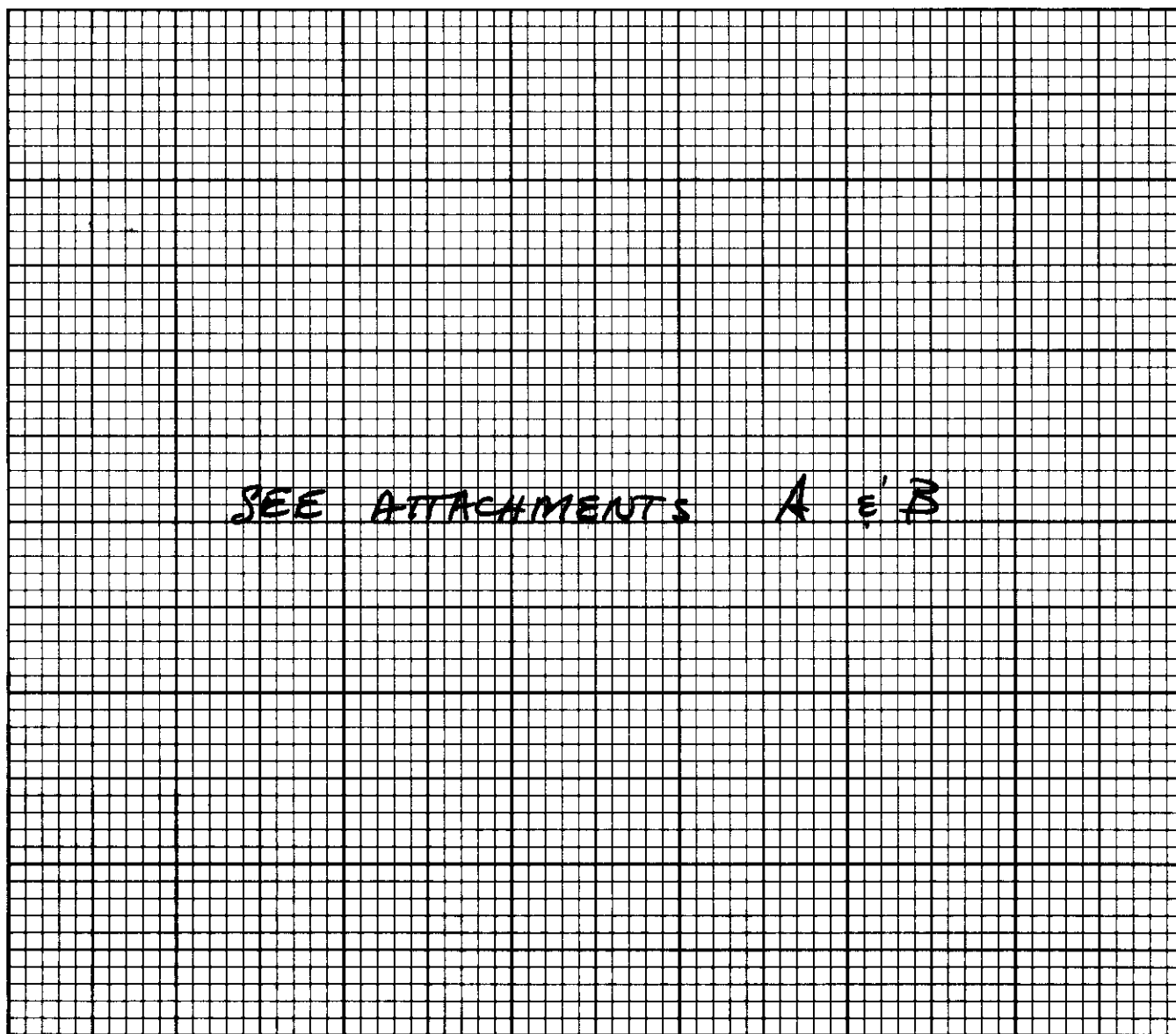
- | | | |
|----|------------------|---|
| 9. | Place(s) of Use: | Irrigation - give acres served by system at time of exam.
Indicate Method of Determination |
|----|------------------|---|

Place(s) of Use:

Indicate Method of Determination

[illegible]

10. Other water rights on these lands NONE
11. Other water right diverted from same p.d. 55-7078 - JORDAN CREEK
INJECTED INTO WELL
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached ☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks SEE MEMO DATED 10-3-87

NO BENEFICIAL USE OF GROUNDWATER
FOUND.

15. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
- ☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

16. Examiner's/Consultant's Signature Jim Johnson Date 11-4-87

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

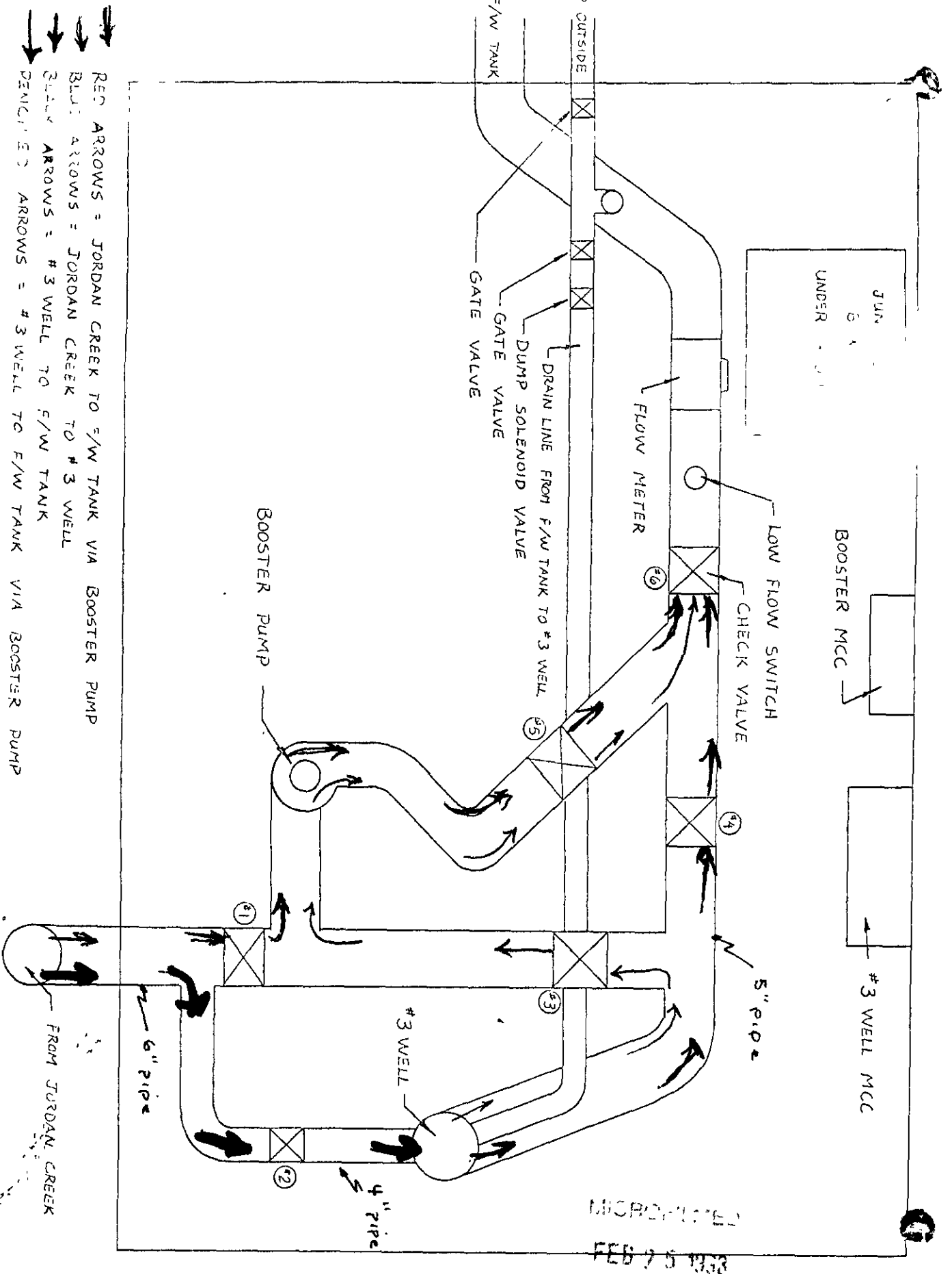
Date

CONSULTANT SEAL

PROF. ENG.

EFF. 1-1-88

ATTACHMENT B





Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

2735 Airport Way
Boise, Idaho 83705
(208) 334-2190

55-7081
NORCO OF IDAHO CO.
111 S.W. COLUMBIA, SUITE 800
PORTLAND, OR 97201

138056

April 3, 1987

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information set showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

APR 3 1987
FEB 2 1987



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse
Boise, Idaho 83720
(208) 334-4440

August 27, 1985

RE: Permit Nos. 55-7079 & 55-7081

Nerco Minerals Company
Attn: Terri Wilja
111 S.W. Columbia, Suite 800
Portland, OR 97201-5813

Dear Ms. Wilja:

We are in receipt of the assignments you submitted with your correspondence of August 2, 1985. Please be advised that these permits have already been assigned to Nerco DeLamar Company by assignments received on September 24, 1984. Enclosed is a copy of our correspondence of November 6, 1984, acknowledging the assignments.

Since these permits have already been assigned to Nerco DeLamar Company, we are returning all three of the original assignments of Permit Nos. 55-7079 and 55-7081 to you.

If you have any questions regarding these permits, or if we can be of further assistance to you, please feel free to contact our office.

Sincerely,

KAY WALKER
Technical Records Specialist

KW:sc

Enclosures

11-20-11-1

FEB 25 1986

NERCO MINERALS COMPANY
1701 COLUMBIA, SUITE 800
IDAHO, OR 97201 • 5813
TELECOPIER 503 • 241 • 2819
TELEPHONE 503 • 796 • 6600



August 2, 1985

CERTIFIED MAIL - RRR

State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

RECEIVED
AUG 7 1985

Department of Water Resources

Gentlemen:

Attached are three original, fully-executed Assignment of Permit covering State of Idaho permit numbers 55-7079 and 55-7081. Please return two originals evidencing acceptance by the State of Idaho to my attention. If you need further information or documentation, please advise.

Sincerely,

Terri Wilja
Supervisor, Land Administration

TW/mdr

Attachment

NOTED

FEB 26 1986

State of Idaho
Department of Water Resources

AUG 7 1985

ASSIGNMENT OF PERMIT

Department of Water Resources

I, The Superior Oil Company, hereby assign to NERCO DeLamar Company
of 122 First Avenue, Fairbanks, Alaska 99701
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit Nos 55-7079 and 55-7081
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 31 day of July, 1985.

W. J. Brady
Permit Holder

Vice President

The Superior Oil Company

Spouse of Permit Holder

Oregon
State of ~~Idaho~~

County of Multnomah) ss.

On this 31 day of July, 1985, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he ~~(she)~~ ~~(they)~~ executed the same.

seal

Dan L. Bell
Notary Public residing at

Portland, Oregon

My commission expires:

7/30/88

AUG 25 1985

copy
originals
returned
see copy
in file
KW
8/27/85

November 6, 1984

RE: Permit Nos. 55-7079 & 55-7081

NERCO DeLamar Company
111 SW Columbia, Suite 800
Portland, OR 97201

Gentlemen:

This office acknowledges receipt of the Assignment of the above referenced permits to you.

Enclosed for your records are copies of the permits. Be sure to note the special conditions of approval on the fourth pages that identify requirements necessary for developing the permits into licensed water rights.

In reviewing the permits, we find that the requirement for submitting proof of construction of works and application of water to beneficial use has been met, and a field examination has been conducted. We will correspond with you regarding the licensing of these permits when final recommendations are made.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

KAY WALKER
Technical Records Specialist

KW:sc
Enclosures

ENCLOSURE
FEB 25 1985

NERCO MINERALS COMPANY
111 COLUMBIA SUITE 600
PORTLAND, OREGON 97201
TELECOPIER 503 • 241 • 2819
TELEPHONE 503 • 796 • 6600

NERCO **RECEIVED**
OCT 29 1984

October 25, 1984

Department of Water Resources
Department of Water Resources

Ms. Kay Walker
Technical Records Specialist
Idaho Department of Water Resources
Statehouse
Boise, Idaho 83720

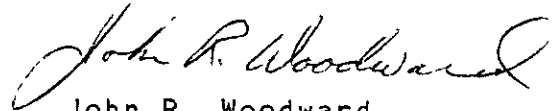
Dear Ms. Walker:

Re: Water Right Permit Nos. 55-7079 and 55-7081

I received your letter dated September 28, 1984 which returned assignment forms for permit numbers 55-7079 and 55-7081. The assignment forms were returned because evidence showing that Mapco Petroleum, Inc. was formerly known as Earth Resources Company was needed. This evidence is attached along with the assignment forms. Please process the assignments of these two rights from Mapco Petroleum to NERCO DeLamar Company.

If you have any questions, please don't hesitate to call.

Sincerely,



John R. Woodward
Senior Permitting Engineer

JRW/mdr

Attachment

60112-111
FEB 23 1985

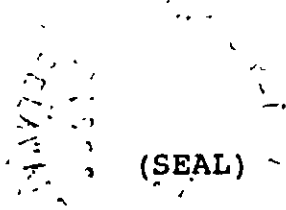
CERTIFICATE OF SECRETARY

OF

MAPCO PETROLEUM INC.

I, the undersigned, Royse M. Parr, the duly elected and acting Assistant Secretary of MAPCO PETROLEUM Inc., a Delaware corporation, do hereby certify that attached hereto as Exhibit "A", are true and correct copies of a (1) Certificate of the Secretary of State of the State of Delaware dated April 29, 1983, and (2) Certificate of Amendment of Certificate of Incorporation dated April 18, 1983, which documents relate to corporate name change from Earth Resources Company to the current name of MAPCO PETROLEUM Inc.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of MAPCO PETROLEUM Inc. this 3rd day of February, 1984.


Royse M. Parr

Royse M. Parr
Assistant Secretary

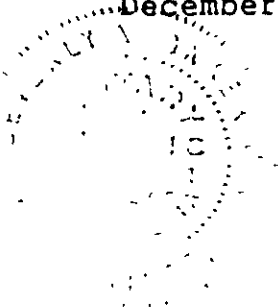
(SEAL)

Subscribed and sworn to before me this 3rd day of February, 1984.

Beverly A. Baker

Beverly A. Baker, Notary Public

My Commission Expires:
December 2, 1987

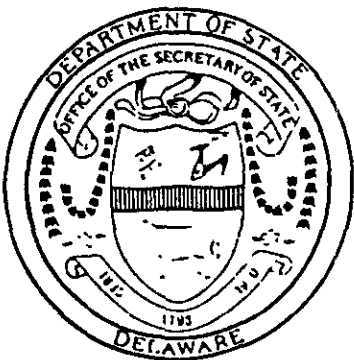

Beverly A. Baker
FEB 25 1988



State of DELAWARE

Office of SECRETARY OF STATE

I, Glenn C. Kenton, Secretary of State of the State of Delaware,
do hereby certify that the attached is a true and correct copy of
Certificate of Amendment
filed in this office on April 29, 1983.



Glenn C. Kenton
Glenn C. Kenton, Secretary of State
BY: B. Ahers
DATE: April 29, 1983

FILED

REC 2143 PAGE 942

APR 29 1983

10A

CERTIFICATE OF AMENDMENT
OF

Michael C. Keston
SECRETARY OF BOARD

CERTIFICATE OF INCORPORATION

* * * * *

EARTH RESOURCES COMPANY, a corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware,

DOES HEREBY CERTIFY:

FIRST: That the Board of Directors of said corporation, by the unanimous written consent of its members, filed with the minutes of the board, adopted a resolution proposing and declaring advisable the following amendment to the Certificate of Incorporation of said corporation:

RESOLVED, that the Certificate of Incorporation of EARTH RESOURCES COMPANY be amended by changing the First Article thereof so that, as amended, said Article shall be and read as follows:

"FIRST: The name of the corporation is MAPCO PETROLEUM INC."

SECOND: That in lieu of a meeting and vote of stockholders, the stockholders have given unanimous written consent to said amendment in accordance with the provisions of section 228 of the General Corporation Law of the State of Delaware.

THIRD: That the aforesaid amendment was duly adopted in accordance with the applicable provisions of sections 242 and 228 of the General Corporation Law of the State of Delaware.

EXHIBIT "A"

IN WITNESS WHEREOF, said EARTH RESOURCES COMPANY
has caused this certificate to be signed by R. T. Prater its
President, and attested by Royce Parr, its Assistant
Secretary this 18th day of April, 1983.

EARTH RESOURCES COMPANY

By

R. T. Prater
President

ATTEST:

By

Royce M. Parr
Royce Parr
Assistant Secretary

RECEIVED FOR RECORD

APR. 23 1983

LEO J. DUGAN, Jr., Recorder

370002

**** CERTIFICATE OF SECRETARY ****

FEB 13 1983

Julia Prescott

MAPCO Petroleum Inc.

MAPCO Minerals Corp.

REQUEST OF:

8.00 INDEX

FEE:

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

September 28, 1984

RE: Water Right Permit Nos. 55-7079 & 55-7081

John R. Woodward
Nerco Minerals Company
111 S.W. Columbia, Suite 600
Portland, OR 97201

Dear Mr. Woodward:

We are in receipt of your letter of September 14, 1984, and the two Assignments of the above referenced permits. Before our office can officially act on the assignments, we need more documentation for our files. We need to have evidence for our records that indicates that MAPCO Petroleum Inc. was indeed formerly known as Earth Resources Co.

We are returning the assignment forms to you so that you can attach the above requested evidence to them. Once this evidence is provided we will be able to process the assignment forms. As for rights 55-2134, 55-7078, 55-7104 and 55-7106, we have placed a copy of your letter in the water right files for future reference only. No other action will be taken in regard to these rights.

If you have any questions regarding this matter, please feel free to contact our office.

Sincerely,

KAY WALKER
Technical Records Specialist

KW:sc

Enclosures

ENCLOSURE

FEB 25 1985

NERCO MINERALS COMPANY
11 W. COLUMBIA, SUITE 600
PORTLAND, OREGON 97201
TELECOPIER 503-241-2819
TELEPHONE 503-796-6600

REC-100
SEP 21 1984

NERCO

September 14, 1984 Department of Water Resources

Water Rights Section
Department of Water Resources
Statehouse
Boise, Idaho 83720

Re: DeLamar Silver Mine Change of Operator

On September 12, 1984 NERCO Minerals Company acquired the Mapco Minerals' interest in DeLamar Silver Mine. NERCO DeLamar Company, a subsidiary of NERCO Minerals Company, has replaced Mapco Minerals as the mine operator. With the change of operator, two water right permits (Permit No. 55-7079 and 55-7081) were assigned to DeLamar Silver Mine. Assignment forms for these permits are enclosed. In addition, your files for DeLamar Silver Mine water right licenses and permits 55-2134, 55-7078, 55-7104 and 55-7106 should now indicate the change of operator.

Future correspondence with the mine regarding water rights should be addressed as follows:

E.M. Gerick, General Manager
DeLamar Silver Mine
NERCO DeLamar Company, operator
P.O. Box 52
Jordan Valley, OR 97910

If you have any questions, please don't hesitate to call me at 503-796-6641.

Sincerely,



John R. Woodward
Senior Permitting Engineer

Enclosures

JRW/dj

FEB 25 1985

Well #3

WELL DRILLER'S REPORT

JUN 27 1977

State law requires that this report be filed with the Director, Department of Water Resources within 30
days after the completion or abandonment of the well. Department of Water Resources

1. WELL OWNER Name <u>EARTH RESOURCES</u> Address <u>DE LAMAR MINE DE LAMAR ID.</u> Owner's Permit No. <u>15-1001</u>				7. WATER LEVEL Static water level <u>310</u> feet below land surface Flowing? ☐ Yes ☒ No G.P.M. flow _____ Temperature <u>62</u> ° F. Quality <u>GOOD</u> Artesian closed-in pressure _____ p.s.i. Controlled by ☐ Valve ☐ Cap ☐ Plug																																																																																																																																																																																																	
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____				8. WELL TEST DATA ☒ Pump ☐ Bailer ☐ Other <table border="1"><thead><tr><th>Discharge G.P.M.</th><th>Draw Down</th><th>Hours Pumped</th></tr></thead><tbody><tr><td><u>75</u></td><td><u>300</u></td><td><u>96</u></td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table>				Discharge G.P.M.	Draw Down	Hours Pumped	<u>75</u>	<u>300</u>	<u>96</u>																																																																																																																																																																																								
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3. PROPOSED USE ☐ Domestic ☐ Irrigation ☐ Test ☐ Other (specify type) _____ ☐ Municipal ☒ Industrial ☐ Stock ☐ Waste Disposal or Injection				9. LITHOLOGIC LOG <table border="1"><thead><tr><th rowspan="2">Hole Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td><u>14 3/4"</u></td><td><u>0</u></td><td><u>5</u></td><td><u>Top soil</u></td><td> </td><td>☒</td></tr><tr><td>"</td><td><u>5</u></td><td><u>150</u></td><td><u>Rhyolite, clay lenses</u></td><td> </td><td>☒</td></tr><tr><td>"</td><td><u>150</u></td><td><u>270</u></td><td><u>Rhyolite & Quartz</u></td><td> </td><td>☒</td></tr><tr><td>"</td><td><u>270</u></td><td><u>350</u></td><td><u>Rhyolite granular</u></td><td> </td><td>☒</td></tr><tr><td>"</td><td><u>350</u></td><td><u>360</u></td><td><u>CLAY</u></td><td> </td><td>☐</td></tr><tr><td>"</td><td><u>360</u></td><td><u>400</u></td><td><u>PERLITE</u></td><td> </td><td>☒</td></tr><tr><td>"</td><td><u>400</u></td><td><u>410</u></td><td><u>CLAY</u></td><td> </td><td>☐</td></tr><tr><td>"</td><td><u>410</u></td><td><u>460</u></td><td><u>RHYOLITE TUFF</u></td><td> </td><td>☒</td></tr><tr><td>"</td><td><u>460</u></td><td><u>570</u></td><td><u>TUFF & PERLITE</u></td><td>☒</td><td> </td></tr><tr><td>"</td><td><u>570</u></td><td><u>590</u></td><td><u>PERLITE</u></td><td> </td><td>☒</td></tr><tr><td>"</td><td><u>590</u></td><td><u>640</u></td><td><u>RHYOLITE BRECCIA</u></td><td> </td><td>☒</td></tr><tr><td>"</td><td><u>640</u></td><td><u>650</u></td><td><u>TUFF & BRECCIA</u></td><td>☒</td><td> </td></tr><tr><td>"</td><td><u>650</u></td><td><u>980</u></td><td><u>RHYOLITE TUFF</u></td><td> </td><td>☐</td></tr><tr><td>"</td><td><u>980</u></td><td><u>1006</u></td><td><u>RHYOLITE TUFF SOME CLAYS</u></td><td>☒</td><td> </td></tr><tr><td><u>9 1/8"</u></td><td><u>1006</u></td><td><u>1070</u></td><td><u>RHYOLITE TUFF 30-40% CLAY</u></td><td> </td><td>☒</td></tr><tr><td>"</td><td><u>1070</u></td><td><u>1090</u></td><td><u>PERLITE</u></td><td> </td><td> </td></tr><tr><td>"</td><td><u>1090</u></td><td><u>1170</u></td><td><u>RHYOLITE QUARTZ</u></td><td> </td><td> </td></tr><tr><td>"</td><td><u>1170</u></td><td><u>1200</u></td><td><u>PERLITE</u></td><td>☒</td><td> </td></tr><tr><td>"</td><td><u>1200</u></td><td><u>1310</u></td><td><u>RHYOLITE QUARTZ porphyry</u></td><td> </td><td>☒</td></tr><tr><td>"</td><td><u>1310</u></td><td><u>1330</u></td><td><u>CLAY ZONE</u></td><td> </td><td>☒</td></tr><tr><td>"</td><td><u>1330</u></td><td><u>1360</u></td><td><u>PERLITE & RHYOLITE</u></td><td> </td><td>☒</td></tr><tr><td>"</td><td><u>1360</u></td><td><u>1380</u></td><td><u>RHYOLITE BRECCIA</u></td><td>☒</td><td> </td></tr><tr><td>"</td><td><u>1380</u></td><td><u>1385</u></td><td><u>RHYOLITE BRECCIA & CLAY</u></td><td>☒</td><td> </td></tr><tr><td>"</td><td><u>1385</u></td><td><u>1395</u></td><td><u>FAULT CLAYS</u></td><td> </td><td>☒</td></tr><tr><td>"</td><td><u>1395</u></td><td><u>1400</u></td><td><u>RHYOLITE TUFF</u></td><td> </td><td>☒</td></tr><tr><td>"</td><td><u>1400</u></td><td><u>1430</u></td><td><u>ALTERED TUFF 50-15% CLAY</u></td><td>☒</td><td> </td></tr><tr><td>"</td><td><u>1430</u></td><td><u>1590</u></td><td><u>INTERBEDDED TUFF & CLAY</u></td><td>☒</td><td> </td></tr><tr><td>"</td><td><u>1590</u></td><td><u>1610</u></td><td><u>FAULT CLAYS</u></td><td>☒</td><td> </td></tr><tr><td>"</td><td><u>1610</u></td><td><u>1700</u></td><td><u>INTERBEDDED TUFF</u></td><td> </td><td>☒</td></tr><tr><td>"</td><td><u>1700</u></td><td><u>2000</u></td><td><u>RHYOLITE QUARTZ Porphyry</u></td><td> </td><td>☒</td></tr></tbody></table>				Hole Diam.	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5. WELL CONSTRUCTION Diameter of hole <u>12</u> inches Total depth <u>2000</u> feet Casing schedule ☒ Steel ☐ Concrete <table border="1"><thead><tr><th>Thickness</th><th>Diameter</th><th>From</th><th>To</th></tr></thead><tbody><tr><td><u>330</u> inches</td><td><u>12</u> inches</td><td><u>1</u> feet</td><td><u>1006</u> feet</td></tr><tr><td><u>1250</u> inches</td><td><u>8</u> inches</td><td><u>990</u> feet</td><td><u>2000</u> feet</td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr></tbody></table> Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☒ Yes ☐ No How perforated? ☒ Factory ☐ Knife ☐ Torch Size of perforation <u>3/16</u> inches by <u>3</u> inches <table border="1"><thead><tr><th>Number</th><th>From</th><th>To</th></tr></thead><tbody><tr><td><u>8 PERFT.</u> perforations</td><td><u>400</u> feet</td><td><u>1006</u> feet</td></tr><tr><td><u>8 PERFT.</u> perforations</td><td><u>990</u> feet</td><td><u>2000</u> feet</td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>SOFT</u> Material used in seal ☒ Cement grout ☐ Pudding clay ☐ Well cuttings Sealing procedure used ☐ Slurry pit ☒ Temporary surface casing ☒ Overbore to seal depth				Thickness	Diameter	From	To	<u>330</u> inches	<u>12</u> inches	<u>1</u> feet	<u>1006</u> feet	<u>1250</u> inches	<u>8</u> inches	<u>990</u> feet	<u>2000</u> feet													Number	From	To	<u>8 PERFT.</u> perforations	<u>400</u> feet	<u>1006</u> feet	<u>8 PERFT.</u> perforations	<u>990</u> feet	<u>2000</u> feet																																																																																																																																																																	
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6. LOCATION OF WELL Sketch map location must agree with written location. County <u>Owyhee</u> <u>FEB 2 1977</u> <u>SE 1/4 NE 1/4 Sec. 8, T. 5 N/S, R. 4 W</u>				10. Work started <u>2/20/77</u> finished <u>3/23/77</u>																																																																																																																																																																																																	
11. DRILLERS CERTIFICATION Firm Name <u>HOLMAN DRILLING CORP.</u> Firm No. <u>109</u> Address <u>E 3410 9TH AVE</u> Date <u>4/4/77</u> <u>SPOKANE WASH 99202</u> Signed by (Firm Official) <u>Arnold E. Holman</u> and <u>Arnold E. Holman</u> PRES. (Operator) <u>Arnold E. Holman</u> OPERATOR																																																																																																																																																																																																					

December 8, 1977

Re: Permit No. 55-7001

Earth Resources Co., Delamar Silver Mine
P.O. Box 52
Jordon Valley, Or. 97910

Dear Sirs:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Boise.

Sincerely,

JANICE RENK
Water Rights

September 30, 1977

CERTIFIED MAIL

138977

Re: Permit No. 55-7081 (amended)

Earth Resources Co., Delamar Silver Mine
P. O. Box 52
Jordan Valley, Oregon 97010

Gentlemen:

One of the conditions of approval of your water Permit No. 55-7081 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before December 1, 1977. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



C. STEPHEN ALLRED
Director

CSA:jfr

Enc: Proof affidavit

138977

Department of Water Resources

May 26, 1977

Mr. Steve Allred, Director
Idaho Department of Water Resources
Statehouse
Boise, Idaho 83720

Dear Steve:

As you are aware, I have been retained by Earth Resources Company to supervise the drilling of their water wells 3, 4, and 5. Well #5, as you will remember, is designed to provide water for discharge into Jordan Creek, replacing that that was withdrawn earlier this year. We have obtained the services of Mr. Gerald Adcock and plan on starting the hole at site #5 on or before June 1. The basic construction procedure will be to drill a 12" diameter hole to approximately 500 feet in depth using blank casing in the upper portion of the well to insure that no water is withdrawn from the underflow of Jordan Creek. At this point in time, I am not sure how far the blank casing will have to extend, but I have been instructed by Earth Resources Company to make sure that it is more than adequate to prevent the well from decreasing the flow of Jordan Creek. Additionally, we are designing the well to produce water at about .5 cfs and replace the water previously used at about 1 acre foot per day. If, however, it would be more convenient or beneficial to you for us to utilize a different schedule of replacement, please let me know and we will work with you to the best of our ability.

If you have any questions regarding the construction or location of the well, I would be more than happy to meet with you at your convenience.

Sincerely yours,

Sherl L. Chapman
Consultant

SLC:kje
cc:Mr. Clint Miller

SPECIALIST IN
GROUND-WATER HYDROLOGY / WATER RIGHTS / WATER WELL DESIGN / GEOTHERMAL RESOURCES



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

February 8, 1977

Earth Resources Company
5920 McIntire Street
Golden, CO 80401

Gentlemen:

Reference is made to the general meeting held in Jordan Valley, Oregon on January 27, 1977 to discuss water distribution from Jordan Creek and the potential effect of Earth Resources water permits 55-7078, 55-7079 and 55-7081 on the distribution of water from Jordan Creek for the coming water year. As you probably are aware, the water supply outlook for Idaho is extremely poor due to the lack of snowfall this winter. The Jordan Creek drainage as of February 1, 1977 has only 16% of average snow water.

In order for Earth Resources to divert water under either of the surface water source permits (55-7078 and 55-7079) all prior water rights must first be supplied. In particular, these prior rights are to the natural flow of Jordan Creek and the storage rights of the Owyhee Project. It is certain there will not be an adequate supply of water to fill the rights prior to the permits held by Earth Resources, which would mean there would be no water available for Earth Resources to divert.

Please advise this office of plans you have for an alternative water supply which will not interfere with prior existing water rights. To avoid injury to prior rights, Earth Resources should not plan to divert water from Jordan Creek after April 1 of this year, and should also begin by then to replace water diverted from Jordan Creek.

Please feel free to contact me with any proposals or questions you may have.

Very truly yours,

A. KENNETH DUNN
Administrator, Operations Division

AKD/slg

CC: Robert E. Bohm, Mike Hanley, Erich Knehans, IDWR-Western Region

MICROFILMED

STATE OF IDAHO

Cecil D. Andrus, governor

department of health and welfare

STATEHOUSE, BOISE, 83720

ENVIRONMENTAL SERVICES DIVISION

March 28, 1975

RECEIVED
APR 1 1975
Department of Water Resources

James A. Bax, director

AJR

Mr. Kenneth H. Foit
Western District Engineer
Department of Water Resources
506 N. 5th St. Rm. 154
Statehouse - Annex 3
Boise, Idaho 83720

Re: Application for Permit No. 55-7081

Dear Mr. Foit:

We have reviewed the above referenced permit application concerning Earth Resources Company. Our department must review and approve the engineering plans for the wastewater treatment facilities and the air pollution control facilities.

If you have any questions, please contact me.

Sincerely,

DEPARTMENT OF HEALTH AND WELFARE



H. David Sanders, E.I.T.
Environmental Engineering Spec. II

HDS/lh

cc: SW. Dist. Health Dept.
Earth Resources Company

November 7, 1975

Re: Permit No.. 55-7081

Earth Resource Co.
DeLamar Silver Mine
P. O. Box 52
Jordan Valley, OR 97910

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 55-7081 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosures

PROOF OF PUBLICATION

STATE OF IDAHO
County of Owyhee } s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 16 day of Oct, 1975, and the last publication being on the 23 day of October, 1975;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 23 day of Oct, 1975.

Lorna J. Hawes
NOTARY PUBLIC

My commission expires 9-10-76

(SEAL)



OK
CLS
10-28-75



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

October 10, 1975

Owyhee Nugget
Marsing, ID 83639

RE: Amended Application for Water Permit No. 55-7081 - Earth Resources Co.

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear in the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

--- (Signature of Claimant) ---

Sincerely,

Bill submitted

10-28-75

CK

NOTICE OF AMENDED APPLICATION FOR WATER PERMIT

Notice is hereby given that EARTH RESOURCES CO., DELAMER SILVER MINE, P.O. Box 52, Jordan Valley, Idaho, on February 21, 1975 submitted Application No. 55-7081 for a permit to appropriate 1.1 cubic feet per second of water from a groundwater source by means of well, pump, pipeline, and storage tank within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, T. 5 S, R. 4 W, B.M. Owyhee County, to be used from Jan. 1 to Dec. 31 for mining and milling purposes within the S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 8, T. 5 S, R. 4 W, B.M.

The applicant now proposes to amend Application No. 55-7081 by change of point of diversion within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, T. 5 S, R. 4 W, B.M. Owyhee County.

If issued, this permit would be subject to all prior water rights. Any protest against the granting of the amended application for permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83707, on or before November 3, 1975.

R. KEITH HIGGINSON

Director

Published in the Owyhee Nugget, Marsing, Idaho on Oct. 16, 1975 and Oct. 23, 1975.



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

October 2, 1975

Earth Resources Company
P.O. Box 52
Jordan Valley, OR 97910

RE: Application for Permit No. 55-7081

Dear Mr. Tobey:

Recently an application for amendment was submitted relative to the above referenced application for permit in order to change the point of diversion from the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, T. 5 S, R. 4 W to the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, T. 5 S, R. 4 W in Owyhee County.

Such a change on an application may only be accomplished by the submittal of an amended application.

This office has included a partially completed amended application including the proposed point of diversion change. This amended application requires only the signature of an official of the company and returned to this office.

There will be no loss of priority and no additional fee required.

Your prompt response will be greatly appreciated.

Sincerely,

A handwritten signature in cursive script, reading "L. Glen Saxton", is written over the typed name.

L. GLEN SAXTON, P.E.
Western District Engineer

LGS:cls

Enclosure

RECEIVED
OCT 3 1975

EARTH RESOURCES COMPANY
DELAMAR



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

October 2, 1975

Earth Resources Company
P.O. Box 52
Jordan Valley, OR 97910

RE: Application for Permit No. 55-7081

Dear Mr. Tobey:

Recently an application for amendment was submitted relative to the above referenced application for permit in order to change the point of diversion from the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, T. 5 S, R. 4 W to the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, T. 5 S, R. 4 W in Owyhee County.

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There will be no loss of priority and no additional fee required.

Your prompt response will be greatly appreciated.

Sincerely,

A handwritten signature in cursive script, reading "L. Glen Saxton", is written over the typed name.

L. GLEN SAXTON, P.E.
Western District Engineer

LGS:cls

Enclosure

EARTH RESOURCES COMPANY

5920 mcintyre street

golden colorado 80401

Department of Water Resources

303-279-7631

April 9, 1975

Mr. Kenneth Foit
Western District Engineer
Department of Water Resources
506 N. 5th Street Room 154
Statehouse Annex #3
Boise, Idaho 83720

Re: Application for Permit No. 55-7081

Dear Mr. Foit:

In line with our conversation on April 1, 1975, I am forwarding you a copy of our millsite claims covering the point of use of water to be diverted from our proposed well under the above application. Since millsite claims withdraw land from the public domain during the period in which they are valid, and since the point of use is on these claims a permit is not required from the B. L. M.

An application is now pending with the B. L. M. for a right-of-way covering the point of diversion and as soon as it is approved a copy will be forwarded.

A copy of this letter is being forwarded to Mr. Booker in answer to his letter of March 5, 1975.

Very truly yours,

EARTH RESOURCES COMPANY



William B. Tobey
Director Engineering Services

WBT:rm

Enclosures

cc: Mr. Booker



SCALE "1"=500'

TDS
R4W

SEC 04

PATENTED CLAIMS

4
8 9

ALPHIA

FRANCISCO

SEWER

BURTON

BURG

Approx. point
of J.C.

53

51

45

43

54

52

MILLSITE CLAIMS

EARTH RESOURCES COMPANY

5920 mcintyre street

golden colorado 80401

Department of Water Resources

APR 11 1975

303-279-7631

April 9, 1975

Mr. Kenneth Foit
Western District Engineer
Department of Water Resources
506 N. 5th Street Room 154
Statehouse Annex #3
Boise, Idaho 83720

Re: Application for Permit No. 55-7081

Dear Mr. Foit:

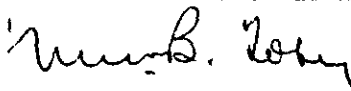
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A copy of this letter is being forwarded to Mr. Booker in answer to his letter of March 5, 1975.

Very truly yours,

EARTH RESOURCES COMPANY



William B. Tobey
Director Engineering Services

WBT:rm

Enclosures 

cc: Mr. Booker

INTER-DEPARTMENT MEMO — 1

FROM Ken Foit

DATE 4/1/75

TO File # 55-7081

SUBJECT Special Use Permit

Mr. Toby was into this office today. He explained that his company owned the mill site (place of use) but not the Point of Diversion. He has applied to the BLM for a special use permit but has not received it as yet. He will send us a copy when he receives it.

SIGNATURE



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Kerth Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

March 17, 1975

David Sanders
Environmental Engineering Spec. II
Environmental Services
Department of Health & Welfare
Statehouse
Boise, ID

Re: Application for Permit No. 55-7081, Earth Resources Company
61-7213, Robert J. &/or Mary Y. Berg
61-7214, Amil Janoushek
63-8095, Karney Lakes Club, Inc.

Dear Mr. Sanders:

We are enclosing a copy of the above referenced application for permit which may be of interest to your agency. Please review the application and if you have any comments, please submit them to our department as soon as possible.

We normally complete the processing of an application within a six week period and we are required to take final action shortly thereafter.

If we may be of any assistance to you in the meantime, please do not hesitate to contact this department.

Sincerely,

KENNETH H. FOIT, P.E.
Western District Engineer

KHF:jg

Enclosure

March 5, 1975

Earth Resources Company
5920 McIntyre Street
Golden, Colorado 80401

Re: Application for Permit No. 55-7081

Gentlemen:

During the processing of your Application for Permit, we have noted that your place of use and point of diversion are located on Bureau of Land Management land.

Before we can make the final approval of your application, it will be necessary for you to supply this department with a copy of your easement given to you by the BLM.

If we can be of any further assistance in this matter, please feel free to contact this department.

Sincerely,

JAMES E. BOOKER
W.R. Technician

JEB:jg

~~Enclosure~~

March 5, 1975

Vincent S. Strobel
Branch of L & M Operations
Bureau of Land Management
Room 398, Federal Building
550 West Fort Street
Boise, ID 83724

Re: Applications for Permit No. 55-7081 and 57-7136

Dear Mr. Strobel:

We are enclosing a copy of the above referenced application for permit which may be of interest to your agency. Please review the applications and if you have any comments, please submit them to our department as soon as possible.

We normally complete the processing of an application within a six week period and we are required to take final action shortly thereafter.

If we may be of any assistance to you in the meantime, please do not hesitate to contact this department.

Sincerely,

KENNETH H. FOIT, P.E.
Western District Engineer

KHF:jg

Enclosures

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

} S.S.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 6 day of March, 1975, and the last publication being on the 13 day of March, 1975;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 13 day of March, 1975.

James S. Lauer
NOTARY PUBLIC

My commission expires 4-14-76

(SEAL)



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

February 28, 1975

Owyhee Nugget
Marsing, ID 83639

Re: Application for Permit No. 55-7081 - Earth Resources Company
57-7134 - Boise District Office, Bureau of Land Management
57-7135 - Boise District Office, Bureau of Land Management
57-7136 - Boyd Campbell

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear in the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

Sincerely,

(Signature of Claimant)

Bill submitted
3-17-75, OK, jg

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that EARTH RESOURCES COMPANY, 5920 McIntyre St.
Golden, Colorado
has on Feb. 21, 1975 submitted Application No. 55-7081
for a permit to appropriate 1.1 cubic feet per second ~~to be used for~~
~~per person~~ of water from Groundwater
by means of pipeline, well and storage tank
within the NW 1/4, Sec. 6, T. 5 S., R. 4 W., B.M. Owyhee County

to be used from Jan. 1 to Dec. 31
for mining and milling

within the SW 1/4, Sec. 8, T. 5 S., R. 4 W., B.M.

If issued, this permit will be subject to all prior water rights. Pro-
tests against the granting of the permit must be filed with the Idaho Depart-
ment of Water Resources, Statehouse, Boise, Idaho, 83720, on or before
March 24, 1975.

R. KEITH HIGGINSON

Director

Published in the Owyhee Nugget, Marsing, ID
on March 6, 1975 and March 13, 1975.

EARTH RESOURCES COMPANY

5920 mcintyre street

golden colorado 80401

303-279-7631

February 17, 1975

Idaho Department of Water Resources
Western District, Annex 3
Statehouse
Boise, Idaho 83720

Attention: Kenneth H. Foit
District Engineer

Gentlemen:

Pursuant to our conversation in January, we herewith submit an Application for a permit to drill a well in the Henrietta Drainage in NW 1/4 of the NE 1/4 of Sec. 6, T5S, R 4W., B.M. The proposed well will be drilled in what appears to be a large fracture zone at the north end of the Henrietta Drainage.

The purpose of the well is to supply a supplementary source of water for the DeLamar Silver Mine in periods when it is impractical to draw water from Jordan Creek. It will also serve as a source from which water may be drawn to replace water previously taken from Jordan Creek in years when the Owyhee Reservoir fails to fill to capacity.

When drawing water from the well it is proposed to pump at 500 g.p.m. (1.1 c.f.s.).

To the best of our knowledge no other wells exist in this area, and there are no other users of water (except for watering cattle) anywhere in the vicinity.

Very truly yours,

EARTH RESOURCES COMPANY

William B. Tobey

William B. Tobey
Director of Engineering
Services

WBT:rm

Enclosure

cc: Messrs: K. H. Wright
R. E. Bohm
R. Price

RECEIVED

FEB 27 1975

Department of Water Resources

FEB 21 1975

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
WESTERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Hugginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2190

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

February 24, 1975

Earth Resources Company
5920 McIntyre Street
Golden, Colorado
80401

Re: Application for Permit No. 55-7081

Gentlemen:

Enclosed is your Receipt No. 421 in the amount of \$ 35.00 for
1 application for Permit which was received in this office
on Feb. 21, 1975.

Sincerely,

SUSAN WHALEY
Secretary

SW:s

Enclosure