

RECEIVED

NOV 15 2021

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR EXCHANGE OF WATER

Under the provisions of Section 42-240, *Idaho Code*, any person holding a surface water right may apply to exchange such water for the use of water from the same source or a different surface water source. Surface water right holders may also apply to exchange for the use of water authorized for diversion under one or more other valid water rights from the same source or a different surface water source.

1. INFORMATION ABOUT THE APPLICANT

Applicant Perpetua Resources Idaho, Inc. Telephone No: 208-901-3060
(Name of Applicant)
P.O. Box 429, Donnelly, ID 83615 Email: ahaslam@midasgoldinc.com
(Mailing Address) (Zip Code)

Applicant's Water Right(s) to be exchanged 77-7293
Attach a photocopy of the License, Permit, Transfer, Decree, or Claim evidencing the right(s) or attach a printout obtained from IDWR.

2. INFORMATION ABOUT THE CO-APPLICANT

Complete this portion if the applicant proposes to exchange for water diverted under a water right held by another party. The co-applicant is the holder of the right to be exchanged for the applicant's right. If more space is needed, please attach another sheet containing information about each co-applicant.

Co-applicant _____ Telephone No: _____
(Name of Co-applicant)

(Mailing Address) (Zip Code) Email: _____

Co-applicant's Water Right(s) to be exchanged _____
Attach a photocopy of the License, Permit, Transfer, Decree, or Claim evidencing the right(s) or attach a printout obtained from IDWR.

3. EXCHANGE AGREEMENT – Attach a copy of the written agreement between the applicant and the co-applicant(s).

4. EXCHANGE INFORMATION – Complete Part A or Part B to explain how the proposed exchange will operate.

Part A -- For an exchange involving two or more water right holders.

The applicant proposes to divert _____ cfs and/or _____ acre feet per year of water authorized to be diverted under the co-applicant's water right(s) listed above at _____ ¼ of _____ ¼, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.

Additional points of diversion, if any: _____
In exchange for authorization to divert water as described above, _____ cfs and/or _____ acre feet per year of water authorized for diversion under the applicant's water right(s) listed above will be (complete 1 or 2 below):

1. made available to the co-applicant for diversion at _____ ¼ of _____ ¼, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.
Additional points of diversion, if any: _____

OR

2. released from storage by the co-applicant into _____ at _____ ¼ of _____ ¼, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.

Part B -- For an exchange involving only the applicant's water right(s).

The applicant proposes to divert 0.25 cfs and/or 20 acre feet per year of water at NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____ Sec. 3 Township 18N Range 9E B.M., Valley County. Additional points of diversion, if any: _____

In exchange for authorization to divert water as described above, 0.25 cfs and/or 20 acre feet per year of water authorized for diversion under the applicant's water right(s) listed above will be (complete 1 or 2 below):

1. ~~diverted~~ ^{undiverted} from unnamed stream at SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____ Sec. 3 Township 18N Range 9E B.M., Valley County and injected into EFSF Salmon River at SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____ Sec. 3 Township 18N Range 9E B.M., Valley County.

OR

2. released from storage by the applicant into _____ at _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.

Additional Explanation – Attach additional sheets if necessary.

Water will flow past authorized diversion point on Unnamed Stream and will flow into the East Fork South Fork Salmon River at the confluence of Unnamed Stream and East Fork South Fork Salmon River in the SENE Section 3, T18N, R9E, approximately 2000 feet downstream of proposed new point of diversion on the East Fork South Fork Salmon River in the NESE Section 3, T18N, R9E. Water will be diverted only at times when an equal amount of water is available at the original point of diversion. Application for transfer is also being submitted to change place of use.

If this exchange is not intended to be a permanent arrangement, please describe the circumstances under which the proposed exchange will terminate. _____

5. MAPS – Attach two maps, one showing the water right(s) as it is (they are) now used, and another showing how the water right(s) will be used under the proposed exchange. Each map should be on an 8½"x11" sheet and should clearly identify the locations of the point(s) of diversion, injection, and re-diversion of water and the place(s) of use by 40-acre subdivisions, section, township and range of the public land survey. Photocopies of USGS 7½-minute topographic quadrangles are preferred as base maps.

SIGNATURE

Applicant hereby asserts that no one will be injured by such exchange of water and acknowledges that the applicant and/or the co-applicant will be responsible for all actions taken pursuant to this exchange. I understand that any willful misrepresentations made in this application may result in voiding its approval.

AK D. [Signature]

11/15/2021

Applicant's Signature (and title if application is for an organization)

Date

FOR DEPARTMENT USE ONLY

This exchange application contains 4 pages, including attachments.

Received by _____ Date _____ Fee 500.00

Received by KM Date 11-15-21 Receipt No. C111315

Preliminary review by SN

Published in _____

Publication dates _____

Protests filed by _____

Copies of protests forwarded by _____

Watermaster recommendation requested on _____

Watermaster recommendation received on _____

Hearing held by _____ Date _____

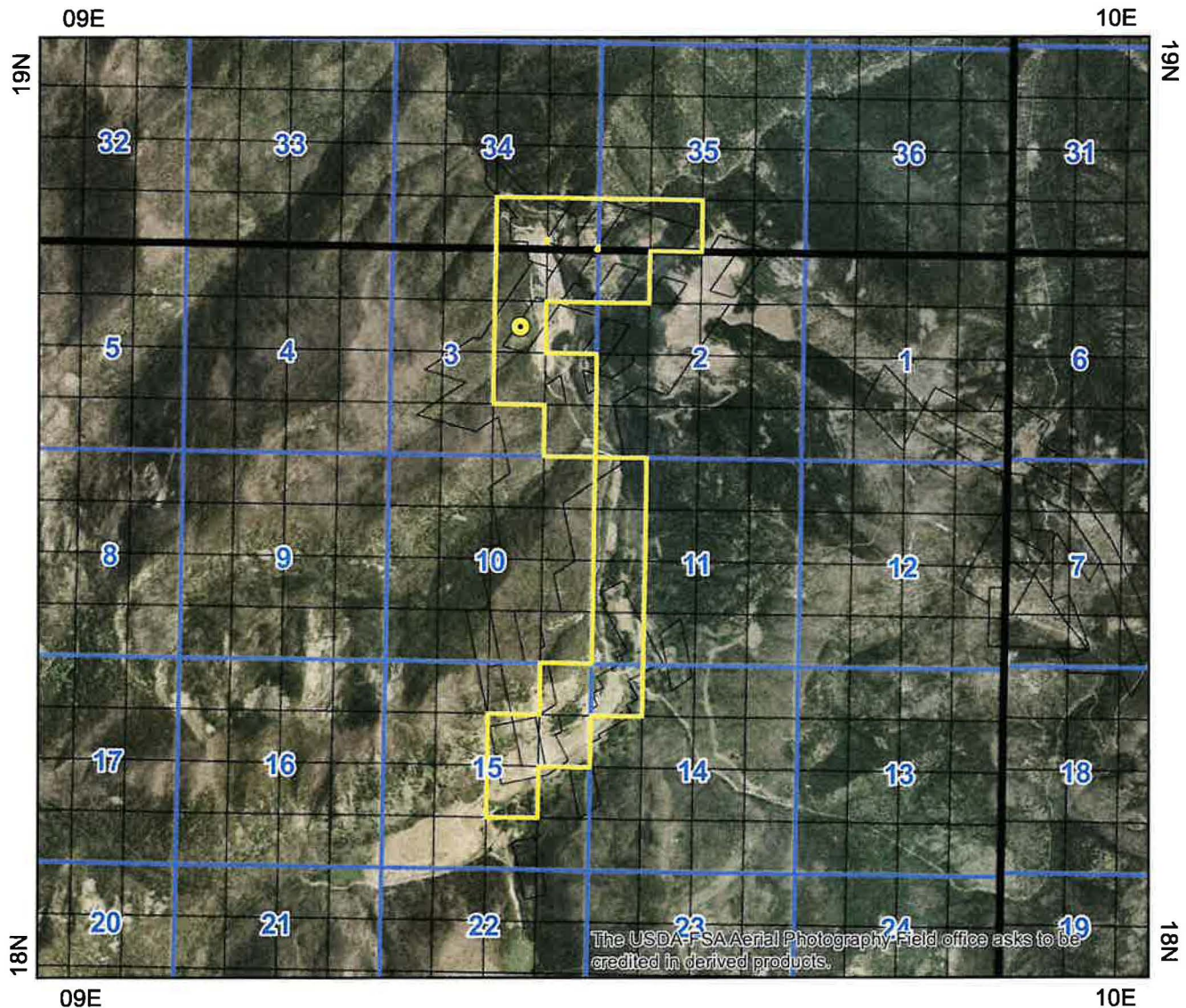
Recommended for Approval _____ Denial _____ By _____

State of Idaho
Department of Water Resources

Water Right 77-7293

MINING

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

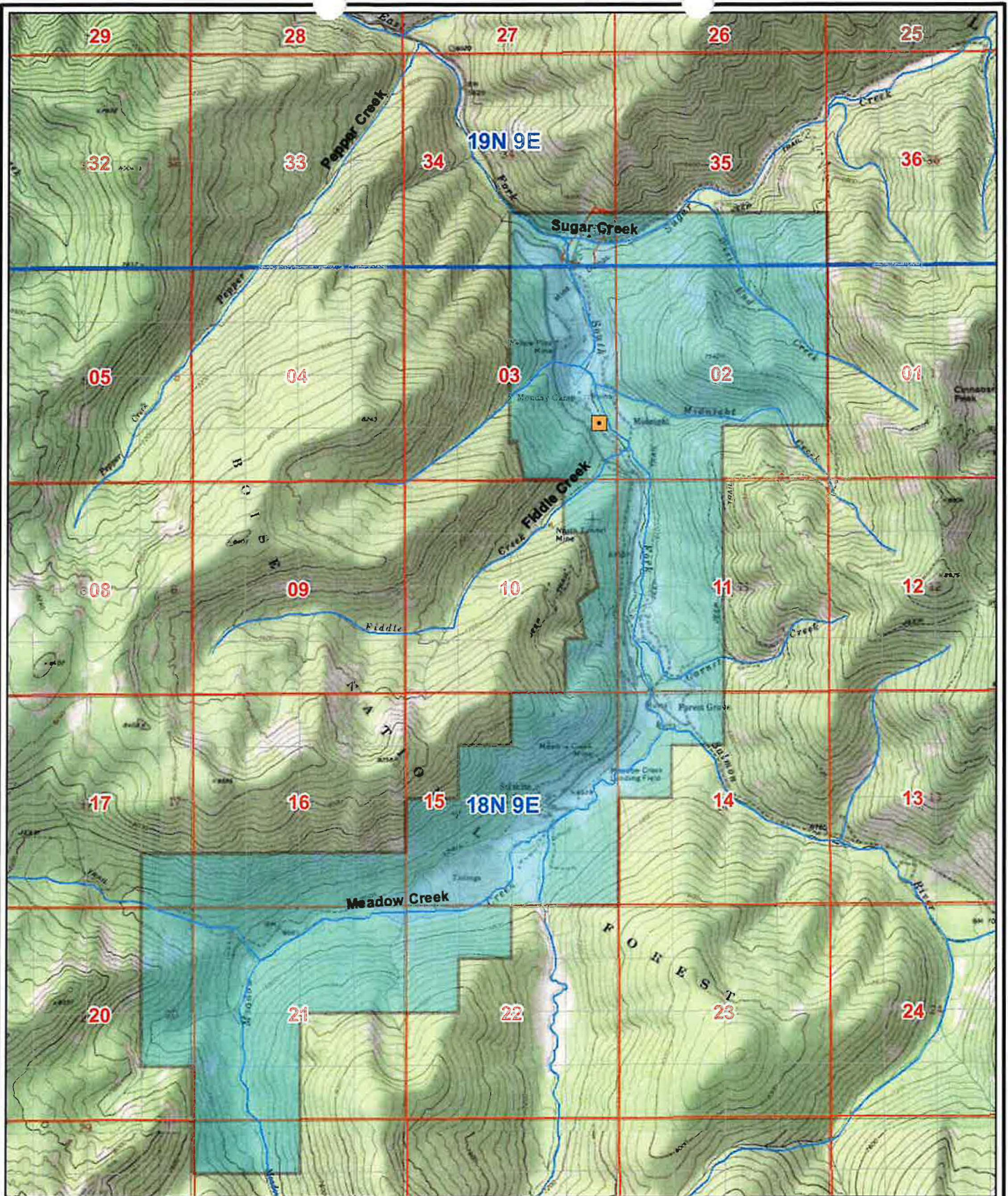


-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.5 1 2 Miles

Existing Point of Diversion on
Unnamed Stream

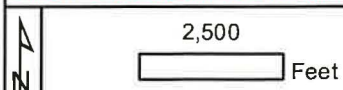




Legend

-  Proposed Point of Diversion (E. Fork S. Fork Salmon River)
-  Proposed Place of Use

Perpetua Resources Idaho, Inc.
New Point of Diversion EFSF Salmon River





322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

November 29, 2021

PERPETUA RESOURCES IDAHO INC
PO BOX 429
DONNELLY, ID 83615-0429

RE: Transfer No. 85396- Water Right No(s). 77-7122, 85397- Water Right No(s). 77-7285, Transfer No. 85399- Water Right No(s). 77-7141, Transfer No. 85398- Water Right No(s). 77-7293, Exchange No. 85538- Water Right No(s). 77-7122
Applications for Permit No. 65-24089, 77-14377, 77-14378, 77-14379, 77-14381

Dear Applicant(s):

The Department of Water Resources has received your water right transfer applications and applications for permit. Please refer to the transfer/water right number referenced above in all future correspondence regarding these applications.

A legal notice of the application has been prepared and is scheduled for publication in the STAR NEWS on 12/2/2021 and 12/9/2021. Protests to these applications may be submitted for a period ending ten (10) days after the second publication.

If the applications are protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the applications are not protested, the Department will process your application and notify you of any action taken on the application. If your applications are approved, the Department will send you a copy of the approval documents.

Please contact this office if you have any questions regarding the application.

Sincerely,

Jean Hersley
Technical Records Specialist

CC: STOEL RIVES LLP

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 85396

PERPETUA RESOURCES IDAHO INC, PO BOX 429, DONNELLY, ID 83615-0429 has filed Application No. 85396 for changes to the following water rights within VALLEY County(s): Right No(s). 77-7122; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows:

The purpose of the transfer is to change the point of diversion and change the place of use. The proposed location is for the new mining exploration area. Water will be used at the current place of use near Stibnite, ID, approx. 38 miles east of McCall, ID.

TRANSFER NO. 85399

PERPETUA RESOURCES IDAHO INC, PO BOX 429, DONNELLY, ID 83615-0429 has filed Application No. 85399 for changes to the following water rights within VALLEY County(s): Right No(s). 77-7141; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows:

The purpose of the transfer is to change the point of diversion, add points of diversion, and change the place of use. The new points of diversion are to be used with Application for Permit 77-14377. Water will be used at the current place of use near Stibnite, ID, approx. 38 miles east of McCall, ID.

TRANSFER NO. 85397

PERPETUA RESOURCES IDAHO INC, PO BOX 429, DONNELLY, ID 83615-0429 has filed Application No. 85397 for changes to the following water rights within VALLEY County(s): Right No(s). 77-7285; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows:

The purpose of the transfer is to change the point of diversion, add new points of diversion, and change the place of use. The proposed location is for the new mining exploration area. Water will be used at the current place of use near Stibnite, ID, approx. 38 miles east of McCall, ID.

TRANSFER NO. 85398

PERPETUA RESOURCES IDAHO INC, PO BOX 429, DONNELLY, ID 83615-0429 has filed Application No. 85398 for changes to the following water rights within VALLEY County(s): Right No(s). 77-7293; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows:

The purpose of the transfer is to change the place of use for mining use for 77-7293. The proposed POU incorporates the entire mining/ore processing area. This transfer proposes to only change the POU and was accompanied by Exchange 85538 which proposes to change the point of diversion for the same water right. Water will be used at the current place of use near Stibnite, ID, approx. 38 miles east of McCall, ID.

EXCHANGE NO. 85538

PERPETUA RESOURCES IDAHO INC, PO BOX 429, DONNELLY, ID 83615-0429 has filed Application No. 85538 for changes to the following water rights within VALLEY County(s): Right No(s). 77-7293; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows:

The purpose of the exchange of water is to relocate the source for 77-7293 from current Unnamed Stream to proposed East Fork South Fork Salmon River. This exchange proposes to only change the POD and was accompanied by Transfer 85398 which proposes to change the POU. Water will be used near Stibnite, ID, approx. 38 miles east of McCall, ID.

For additional information concerning the property location, contact Western Region office at (208)334-2190. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, State Office, PO Box 83720, BOISE ID 83720-0098 together with a protest fee of \$25.00 for each application on or before 12/20/2021. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 12/2/2021 and 12/9/2021

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

65-24089

PERPETUA RESOURCES IDAHO INC

PO BOX 429

DONNELLY, ID 83615-0429

Point of Diversion NESW S7 T14N R05E VALLEY County

Source GROUND WATER

Use: COMMERCIAL

01/01 to 12/31

0.04 CFS

Use: DOMESTIC

01/01 to 12/31

0.04 CFS

Total Diversion:

0.04 CFS

Date Filed: 10-08-2021

Place Of Use: COMMERCIAL, DOMESTIC

T14N R05E S7 SENW,L3(NWSW),NESW

77-14377

PERPETUA RESOURCES IDAHO INC

PO BOX 429

DONNELLY, ID 83615-0429

Point of Diversion NENE S24 T18N R09E VALLEY County

Point of Diversion SWSE S13 T18N R09E VALLEY County

Point of Diversion SWSE S13 T18N R09E VALLEY County

Point of Diversion SWSE S13 T18N R09E VALLEY County

Source GROUND WATER

Use: DOMESTIC

01/01 to 12/31

0.2 CFS

Total Diversion:

0.2 CFS

Date Filed: 10-08-2021

Place Of Use: DOMESTIC

T18N R09E S13 SWSE

Place Of Use: DOMESTIC

T18N R09E S24 NENE,NWNE

This application proposes the diversion and use of water from ground water tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

77-14378

PERPETUA RESOURCES IDAHO INC

PO BOX 429

DONNELLY, ID 83615-0429

Point of Diversion L2(NWNE) S2 T18N R09E VALLEY County

Point of Diversion SWNE S2 T18N R09E VALLEY County

Point of Diversion SENE S2 T18N R09E VALLEY County

Point of Diversion L3(NENW) S2 T18N R09E VALLEY County

Point of Diversion NENW S2 T18N R09E VALLEY County

Point of Diversion L4(NWNW) S2 T18N R09E VALLEY County

Point of Diversion L4(NWNW) S2 T18N R09E VALLEY County

Point of Diversion SWNW S2 T18N R09E VALLEY County

Point of Diversion NESW S2 T18N R09E VALLEY County

Point of Diversion NWSW S2 T18N R09E VALLEY County

Point of Diversion L1(NENE) S3 T18N R09E VALLEY County

Point of Diversion L1(NENE) S3 T18N R09E VALLEY County

Point of Diversion NWNE S3 T18N R09E VALLEY County

Point of Diversion NESE S3 T18N R09E VALLEY County

Point of Diversion NESE S3 T18N R09E VALLEY County

Point of Diversion NESE S3 T18N R09E VALLEY County

Point of Diversion NWSE S3 T18N R09E VALLEY County

Point of Diversion NWSE S3 T18N R09E VALLEY County

Point of Diversion NWSE S3 T18N R09E VALLEY County

Point of Diversion SESE S3 T18N R09E VALLEY County

Point of Diversion SWNW S14 T18N R09E VALLEY County

Point of Diversion SENE S15 T18N R09E VALLEY County

Point of Diversion SENE S15 T18N R09E VALLEY County

Point of Diversion SENE S15 T18N R09E VALLEY County

Point of Diversion SENE S15 T18N R09E VALLEY County

Point of Diversion SENE S15 T18N R09E VALLEY County

Point of Diversion SENE S15 T18N R09E VALLEY County

Point of Diversion SWSW S15 T18N R09E VALLEY County
 Point of Diversion SESW S15 T18N R09E VALLEY County
 Point of Diversion SESW S15 T18N R09E VALLEY County
 Point of Diversion SESW S15 T18N R09E VALLEY County
 Point of Diversion SESW S15 T18N R09E VALLEY County
 Point of Diversion L5(NESE) S15 T18N R09E VALLEY County
 Point of Diversion L5(NESE) S15 T18N R09E VALLEY County
 Point of Diversion L5(NESE) S15 T18N R09E VALLEY County
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 Point of Diversion L5(NESE) S15 T18N R09E VALLEY County
 Point of Diversion L5(NESE) S15 T18N R09E VALLEY County
 Point of Diversion L6(NWSE) S15 T18N R09E VALLEY County
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 Point of Diversion NWSE S15 T18N R09E VALLEY County
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 Point of Diversion L6(NWSE) S15 T18N R09E VALLEY County
 Point of Diversion SWSE S15 T18N R09E VALLEY County
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 Point of Diversion SWSE S15 T18N R09E VALLEY County
 Point of Diversion SWSE S15 T18N R09E VALLEY County
 Point of Diversion NWNE S2 T18N R09E VALLEY County
 Point of Diversion SENE S3 T18N R09E VALLEY County
 Point of Diversion SWNE S15 T18N R09E VALLEY County
 Point of Diversion SENE S15 T18N R09E VALLEY County
 Source GROUND WATER
 Point of Diversion L2(NWNE) S2 T18N R09E VALLEY County
 Point of Diversion NWSW S2 T18N R09E VALLEY County
 Point of Diversion NESW S11 T18N R09E VALLEY County
 Point of Diversion NWSW S11 T18N R09E VALLEY County
 Point of Diversion NWSW S11 T18N R09E VALLEY County
 Point of Diversion NWNW S14 T18N R09E VALLEY County
 Point of Diversion SWNW S14 T18N R09E VALLEY County
 Point of Diversion SWNE S15 T18N R09E VALLEY County
 Point of Diversion SESW S15 T18N R09E VALLEY County
 Point of Diversion NWNE S2 T18N R09E VALLEY County
 Point of Diversion SENE S3 T18N R09E VALLEY County
 Point of Diversion SENE S15 T18N R09E VALLEY County
 Point of Diversion NENW S22 T18N R09E VALLEY County
 Point of Diversion SWNE S15 T18N R09E VALLEY County
 Source RUN OFF
 Point of Diversion NESE S3 T18N R09E VALLEY County
 Source EAST FORK SOUTH FORK SALMON RIVER Tributary SALMON RIVER
 Use: INDUSTRIAL
 01/01 to 12/31
 9.6 CFS
 Use: DIVERSION TO STORAGE
 01/01 to 12/31
 9.6 CFS
 Use: INDUSTRIAL STORAGE
 01/01 to 12/31
 600 AF
 Use: INDUSTRIAL FROM STORAGE
 01/01 to 12/31
 600 AF
 Use: WATER QUALITY IMPROVEMENT STORAGE
 01/01 to 12/31
 600 AF
 Total Diversion:
 9.6 CFS
 600 AF
 Date Filed: 10-08-2021

Place Of Use: INDUSTRIAL
 T18N R09E S10 NENE,SENE,NESE,SESE
 Place Of Use: INDUSTRIAL
 T18N R09E S11
 NENW,NWNW,SWNW,SENW,NESW,NWSW,SWSW,SESW
 Place Of Use: INDUSTRIAL FROM STORAGE,INDUSTRIAL STORAGE,WATER QUALITY IMPROVEMENT STORAGE
 T18N R09E S11
 NESW,NWSW,SWSW
 Place Of Use: INDUSTRIAL
 T18N R09E S14

NENW,NWNW,SWNW

Place Of Use: INDUSTRIAL FROM STORAGE,INDUSTRIAL STORAGE,WATER QUALITY IMPROVEMENT STORAGE

T18N R09E S14

NWNW,SWNW

Place Of Use: INDUSTRIAL

T18N R09E S15

L1(NENE),NESW,L5(NESE),L2(NWNE),NWSW,L6(NWSE),L3(SWNE),SWSW,SWSE,L4(SENE),SENE,SESW,SESE

Place Of Use: INDUSTRIAL FROM STORAGE,INDUSTRIAL STORAGE,WATER QUALITY IMPROVEMENT STORAGE

T18N R09E S15 NESE,L6(NWSE),SWNE,SENE,SESW

Place Of Use: INDUSTRIAL

T18N R09E S16 SWSW,SESW,SWSE,SESE

Place Of Use: INDUSTRIAL FROM STORAGE,INDUSTRIAL STORAGE,WATER QUALITY IMPROVEMENT STORAGE

T18N R09E S16 SESW,SWSE

Place Of Use: INDUSTRIAL

T18N R09E S17 SESE

Place Of Use: INDUSTRIAL

T18N R09E S2

L1(NENE),L3(NENW),NESW,NESE,L2(NWNE),L4(NWNW),SWNE,SENE,SWNW,SENE,NWSW,SWSW,SESW,NWSE

Place Of Use: INDUSTRIAL FROM STORAGE,INDUSTRIAL STORAGE,WATER QUALITY IMPROVEMENT STORAGE

T18N R09E S2 L2(NWNE),SWNE,NWSW,SWSW

Place Of Use: INDUSTRIAL

T18N R09E S20 NENE,SENE,NESE

Place Of Use: INDUSTRIAL

T18N R09E S21 NENE,NWNE,SWNE,SENE,NENW,NWNW,SWNW,SENE,NESW,NWSW,SWSW,SESW

Place Of Use: INDUSTRIAL FROM STORAGE,INDUSTRIAL STORAGE,WATER QUALITY IMPROVEMENT STORAGE

T18N R09E S21 NWNE,SWNE,NENW,NWNW,SWNW,SENE,NESW,NWSW

Place Of Use: INDUSTRIAL

T18N R09E S22 NENW,NWNW,SWNW

Place Of Use: INDUSTRIAL

T18N R09E S28 NENW,NWNW

Place Of Use: INDUSTRIAL

T18N R09E S3 L1(NENE),NESE,L2(NWNE),SWNE,SENE,NWSE,SWSE,SESE

Place Of Use: INDUSTRIAL FROM STORAGE,INDUSTRIAL STORAGE,WATER QUALITY IMPROVEMENT STORAGE

T18N R09E S3 SENE,NESE

Place Of Use: INDUSTRIAL

T19N R09E S34 L3(SWSE),L4(SESE)

Place Of Use: INDUSTRIAL

T19N R09E S35 SWSW,SESW,SWSE,SESE

Place Of Use: INDUSTRIAL FROM STORAGE,INDUSTRIAL STORAGE,WATER QUALITY IMPROVEMENT STORAGE

T19N R09E S35 SWSE

This application proposes the diversion and use of water from ground water tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above. Mitigation is proposed for storage use.

77-14379

PERPETUA RESOURCES IDAHO INC

PO BOX 429

DONNELLY, ID 83615-0429

Point of Diversion SWSW S11 T18N R09E VALLEY County

Source GROUND WATER

Use: DOMESTIC

01/01 to 12/31

0.06 CFS

Total Diversion:

0.06 CFS

Date Filed: 10-08-2021

Place Of Use: DOMESTIC

T18N R09E S11 SWNW,NESW,NWSW,SWSW,SESW

T18N R09E S14 NENW,NWNW,SWNW

This application proposes the diversion and use of water from ground water tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

77-14381

PERPETUA RESOURCES IDAHO INC

PO BOX 429

DONNELLY, ID 83615-0429

Point of Diversion NWSE S4 T15N R08E VALLEY County

Source GROUND WATER

Use: INDUSTRIAL

01/01 to 12/31

0.04 CFS

Use: DOMESTIC

01/01 to 12/31

0.04 CFS

Total Diversion:

0.04 CFS

Date Filed: 10-08-2021

Place Of Use: DOMESTIC,INDUSTRIAL

T15N R08E S4 NWSE,SWSE

This application proposes the diversion and use of water from ground water tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the State office at (208) 287-4800; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, State Office, 322 E Front St, PO Box 83720, Boise, ID 83720 together with a protest fee of \$25.00 for each application on or before **12/20/2021**. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 12/2/2021 and 12/9/2021

Hersley, Jean

From: Hersley, Jean
Sent: Wednesday, November 24, 2021 3:56 PM
To: Starclass@frontier.com
Subject: Legal Notice for the Star News- Valley County
Attachments: Legal Notice.docx

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office, PO Box 83720, Boise, Idaho, 83720-0098 before December 20, 2021. Your cooperation is appreciated.

Sincerely

Jean Hersley
Technical Records Specialist II
IDWR State Office
322 E Front St
Boise ID 83720
208-287-4942
jean.hersley@idwr.idaho.gov

Hersley, Jean

From: Hersley, Jean
Sent: Monday, November 29, 2021 9:09 AM
To: Pozzanghera, Casey; dgreen@idl.idaho.gov; Sujata Connell; Buyer, Remington; Clark, Cynthia Bridge; sspencer@fs.fed.us
Subject: Transfer No. 85396- Water Right No(s). 77-7122, 85397- Water Right No(s). 77-7285, Transfer No. 85399- Water Right No(s). 77-7141, Transfer No. 85398- Water Right No(s). 77-7293, Exchange No. 85538- Water Right No(s). 77-7122

Dear Interested Party:

The Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your organization regarding the above referenced water right applications in the name of Perpetua Resources Idaho Inc. You can find a copy of the applications at: <https://idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>. The documents will be scanned by the end of today.

IDWR can finish reviewing unprotested applications as soon as the protest period has past. Therefore, your prompt response to this request is appreciated. If your organization desires to formally protest the approval of these applications, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days of the final publication. The protest end date is December 20, 2021.

Please contact this office if you have any questions regarding the application.

*Jean Hersley
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942*

Novak, Shilynn

From: Alan Haslam <Alan.Haslam@Perpetua.us>
Sent: Thursday, November 18, 2021 9:32 PM
To: Novak, Shilynn; Beaton, Kevin J.
Cc: Hansen, Angela; Rauhut, Manuel; Terry Scanlan (TScanlan@spfwater.com); Dan Stanaway; Dale Kerner; Kristan Robbins (krobbins@brwnald.com); Alan Haslam
Subject: RE: IDWR - Perpetua Applications
Attachments: T85398_POD-POU_p2_11_18_21_prt_ADH Signed.pdf; T85398_POD-POU_p1_11_18_21_prt_ADH Signed.pdf; T85397_POD-POU_p2_11_18_21_prt_ADH Signed.pdf; T85397_POD-POU_p1_11_18_21_prt_ADH Signed.pdf; T85396_POD-POU_p2_11_18_21_prt_ADH Signed.pdf; T85396_POD-POU_p1_11_18_21_prt_ADH Signed.pdf; 77-14378 POD-POU_p3_11_18_21_prt_ADH Signed.pdf; 77-14378 POD-POU_p2_11_18_21_prt_ADH Signed.pdf; 77-14378 POD-POU_p1_11_18_21_prt_ADH Signed.pdf

Importance: High

Categories: important

Shilynn –

Thanks so much for working with us on these corrections.

We determined that the maps were correct and we had missed some of POU descriptions on the tables.

I've attached all Amended pages and we have highlighted the changes and I've initialed/dated each page.

Note that page 3 of application 77-14378 has no highlights but needs to replace original page 3. The new page does not have any changes to the POU's, but a highlighted change on page 2 brought a line of data from page 2 to page 3.

Please let us know if you find anything else or need any additional information

Thanks again for working through this with us.

Alan

Alan Haslam

VP PERMITTING



**Perpetua
Resources**

405 S 8th St. #201 Boise, ID 83702

T 208.901.3053 M 208.351.9813

TSX: PPTA NASDAQ: PPTA

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www.perpetuaresources.com

From: Novak, Shilynn <Shilynn.Novak@idwr.idaho.gov>

Sent: Wednesday, November 17, 2021 10:09 AM

To: Alan Haslam <Alan.Haslam@Perpetua.us>; Beaton, Kevin J. <kevin.beaton@stoel.com>
Cc: Hansen, Angela <Angela.Hansen@idwr.idaho.gov>; Rauhut, Manuel <Manuel.Rauhut@idwr.idaho.gov>
Subject: RE: IDWR - Perpetua Applications

Good morning Alan,

Thank you for this information. I will be updating the amended applications that were submitted.

I will need either amendments to the POU descriptions or amended maps for the below applications because the map and POU descriptions do not match each other. Below is a table that shows what applications have this discrepancy.

- If the POU descriptions on the applications are correct and the maps are wrong, you can email me amended maps for these applications.
- If the maps are correct and the POU descriptions on the applications are wrong, you can email me the amended pages with your initials and the date next to the amendments.
 - I can scan and email the POU description pages from each application for you to amend or you can email me amended pages that supersede the old ones

I have attached an example of common discrepancy for sections 16, 17, and 22 as well as the storage discrepancy. Please note Application for Permit 77-14378 have both the common and storage discrepancies although only the storage example is shown on the attachment.

Number	Type	Source	cfs	af	Use	Summary
77-14378	App for Permit	Groundwater, Runoff, East Fork South Fork Salmon River	9.60	600.0	industrial, diversion to storage, industrial storage, from storage	50 wells f processin dewaterir
85396	Transfer	East Fork South Fork Salmon River	0.33	7.1	mining storage, mining from storage, diversion to storage	Change P 77-7122.
85397	Transfer	Groundwater	0.50	30.2	mining, diversion to storage mining storage, from storage	Change P POD. 77-7
85398	Transfer	Unnamed Stream	0.25	20.0	mining	Change P

Please let me know how you would like to handle this and if you have any questions. I will continue working to have them in the next advertising cycle but will need the amendments before the applications can be advertised. I would like to have this to the advertising staff by November 22 so there is enough time for them to prepare on their end. If you can get the amendments to me by November 19th, I should be able to get the applications into the upcoming advertising cycle.

Thank you,

Shilynn Novak

Water Resource Agent, Sr. | Water Rights
Idaho Dept. of Water Resources
322 E Front St Ste 648 | Boise ID 83702-7371
Phone: (208) 287-4915

From: Alan Haslam <Alan.Haslam@Perpetua.us>

Sent: Monday, November 15, 2021 1:10 PM

To: Novak, Shilynn <Shilynn.Novak@idwr.idaho.gov>; Terry Scanlan <TScanlan@spfwater.com>

Cc: Hansen, Angela <Angela.Hansen@idwr.idaho.gov>; Rauhut, Manuel <Manuel.Rauhut@idwr.idaho.gov>; Beaton, Kevin J. <kevin.beaton@stoel.com>; Kristan Robbins <krobbins@brwncald.com> <krobbins@brwncald.com>; Dan Stanaway <dstanaway@BrwnCald.com>; Alan Haslam <Alan.Haslam@Perpetua.us>; Dale Kerner <Dale.Kerner@Perpetua.us>

Subject: RE: IDWR - Perpetua Applications

Importance: High

Shilynn,

Thank you for your email of November 8, 2021 seeking additional information on Perpetua Resources water right applications.

Regarding the transfer of 77-7293, Perpetua is submitting an Application for Exchange to allow processing of the point of diversion change. We are not planning to withdraw the application for transfer, as a transfer is needed to modify the place of use for 77-7293. The transfer will be amended to remove the request to change the point of diversion.

Regarding the Application for Permit for domestic and commercial uses, the listed combined diversion rate quantity of 0.04 cfs is correct. However, we noticed an error in the place of use and we are submitting an amended permit to correct this.

Regarding the Application for Permit for domestic and industrial uses, the listed combined diversion rate quantity of 0.04 cfs is also correct. However, we noticed an error in the place of use and point of diversion on this application, and we are submitting an amended permit to correct this.

The applications described above will be hand delivered to your office today, along with the \$500.00 application fee for the exchange application filing fee.
Please let us know if you have any further questions.

Thanks so much,
Alan

Alan Haslam
VP PERMITTING



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www.perpetuaresources.com

From: Novak, Shilynn <Shilynn.Novak@idwr.idaho.gov>

Sent: Friday, November 12, 2021 8:31 AM

To: Terry Scanlan <TScanlan@spfwater.com>

Cc: Hansen, Angela <Angela.Hansen@idwr.idaho.gov>; Rauhut, Manuel <Manuel.Rauhut@idwr.idaho.gov>; Alan Haslam <Alan.Haslam@Perpetua.us>; Beaton, Kevin J. <kevin.beaton@stoel.com>

Subject: RE: IDWR - Perpetua Applications

(b) (5) DPP

Angie and I discussed your questions and determined that you could:

1. Leave the information on the transfer application and submit a separate exchange referencing Transfer 85398 or
2. Submit an amendment for Transfer 85398 dropping the POD change and submit an exchange.

If you submit an amendment and an exchange, it could be cleaner and more clear what each application is doing which may be easier for the public to understand. We were looking into options and to see if an exchange could also be used to accomplish the POU change as well, but in the interest of time, the above options are available.

Thank you,

Shilynn

From: Terry Scanlan <TScanlan@spfwater.com>

Sent: Monday, November 8, 2021 5:06 PM

To: Novak, Shilynn <Shilynn.Novak@idwr.idaho.gov>

Cc: Hansen, Angela <Angela.Hansen@idwr.idaho.gov>; Rauhut, Manuel <Manuel.Rauhut@idwr.idaho.gov>; Alan Haslam <alan.haslam@perpetua.us>; Beaton, Kevin J. <kevin.beaton@stoel.com>

Subject: RE: IDWR - Perpetua Applications

Shilynn,

The message below was forwarded to me. Regarding the application for exchange, transfer guidance memo #24 is clear that an exchange is required for the point of diversion change we propose. But we are also changing the place of use, suggesting a transfer is required.

1. So should we submit both a transfer and an exchange as "companion" applications?
2. If we submit both applications, would you like us to amend the transfer application to eliminate the point of diversion change or leave the application "as is"?

Thanks.

Terry

From: Novak, Shilynn <Shilynn.Novak@idwr.idaho.gov>

Sent: Monday, November 8, 2021 9:25 AM

To: kevin.beaton@stoel.com; Alan Haslam <Alan.Haslam@Perpetua.us>

Cc: Hansen, Angela <Angela.Hansen@idwr.idaho.gov>; Rauhut, Manuel <Manuel.Rauhut@idwr.idaho.gov>

Subject: IDWR - Perpetua Applications

I am reviewing the Applications for Permit and Transfers for Perpetua Resources Idaho, Inc. Upon initial review it was noted that the Application for Transfer for water right 77-7293 is to change the source from Unnamed Stream to the East Fork South Fork Salmon River. This specific source change requires an Application for Exchange of Water and not an Application for Transfer of a Water Right. An exchange is needed because water sourced from the Unnamed Stream is physically not available at the proposed location on the East Fork South Fork Salmon River. Please submit an Application for Exchange of Water to replace the Application for Transfer for 77-7293 submitted on Oct 8, 2021.

I would also like to verify the values used in a couple applications:

- Application for Permit for domestic and commercial use for 50 employees, assay lab, and warehouse:
 - The application is for 0.04 cfs total for both uses and not a cumulative total of 0.08 cfs, correct?
- Application for Permit for domestic and industrial use for temporary housing and for use in the maintenance facility for vehicles and equipment:
 - The application is for 0.04 cfs total for both uses and not a cumulative total of 0.08 cfs, correct?

These applications are being reviewed and I am aiming to have them ready for advertising in a couple weeks. I will have a more definitive date as I continue working through the applications and can send an update once they are ready to be advertised.

If you have any questions about the Application for Exchange of Water, please let me know. Additionally, please let me know if there are any other questions.

Thank you,

Shilynn Novak

Water Resource Agent, Sr. | Water Rights
Idaho Dept. of Water Resources
322 E Front St Ste 648 | Boise ID 83702-7371
Phone: (208) 287-4915

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Perpetua Resources

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NOV 15 2021

DEPARTMENT OF
WATER RESOURCES

405 S. 8th Street, Ste. #201
Boise, ID 83702
(208) 901-3060

PerpetuaResources.com

November 15, 2021

Shilynn Novak
Sr. Water Resource Agent
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Subject: Exchange Application and Amended Water Right Applications by Perpetua Resources for the Stibnite Gold Project

Dear Ms. Novak:

In response to your email dated November 8, 2021, Perpetua Resources Idaho, Inc. (Perpetua Resources) has prepared the enclosed Application for Exchange of Water for water right 77-7293 and amended Application for Transfer of water right 77-7293 (Transfer No. 85398).

- The Application for Exchange of Water seeks to move the point of diversion for water right 77-7293 from an unnamed stream to the East Fork South Fork Salmon River, upstream of the confluence of the unnamed stream with the East Fork South Fork Salmon River.
- Amended Application for Transfer No. 85398 no longer seeks to change the point of diversion for water right 77-7293 because that action will be accomplished by the Application for Exchange. Amended Transfer No. 85398 now seeks only to modify the place of use for water right 77-7293.

Although not a topic of your November 8, 2021 email, Perpetua Resources has discovered errors on two of the Applications for Permit that were submitted to your office on October 8, 2021. These errors are being addressed through the enclosed amended applications for permit 65-24089 and 77-14381.

- Amended Application for Permit 65-24089 proposes to modify the place of use for the Stibnite Gold Logistics Facility.
- Amended Application for Permit 77-14381 proposes to modify the place of use and point of diversion for the Burntlog Maintenance Facility.

A \$500 Application for Exchange of Water filing fee will be paid at the time of submittal.

Please do not hesitate to contact us with questions or comments.

Sincerely,
Perpetua Resources

A handwritten signature in blue ink, appearing to read "Alan D. Haslam", with a long horizontal flourish extending to the right.

Alan Haslam
Vice President of Permitting

RECEIVED

OCT 08 2021

DEPARTMENT OF
WATER RESOURCES



**Perpetua
Resources**

Perpetua Resources Corp.

405 S. 8th Street, Ste 201

Boise, ID 83702

Tel: 208.901.3060

www.perpetuareresources.com

October 8, 2021

Shelley W. Keen, Chief
Water Allocation Bureau
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Subject: Water Right Applications by Perpetua Resources for the Stibnite Gold Project

Dear Mr. Keen:

Perpetua Resources Idaho, Inc. (Perpetua Resources) is pleased to submit the nine enclosed water right applications for the Stibnite Gold Project (Project) in Valley County. These applications are the result of many years of planning, research, and modeling of water needs for the Project. Water uses proposed by the applications seek to optimize the use of available water resources in the Project vicinity while protecting water quality and environmental values. Existing water rights held by Perpetua Resources will be used to the maximum extent possible, with the balance of Project water needs provided from new appropriations.

The nine applications include four applications for transfer and five applications for permit. Seven of the applications are for water uses at the Project site and two applications are for off-site support facilities. The first application for permit, proposing appropriation of water for industrial purposes at the Project, is somewhat complex due to the multiple sources and uses involved and the potential requirement for mitigation. As a result, that application includes supporting documents to further explain and support the application. The remaining eight applications are relatively simple and readily described in this letter and on the application forms. Supporting documents in this application are:

- SGP Water Right Diversion Rate and Storage Volume
- Water Right Mitigation Plan for the Stibnite Gold Project
- Water Right Mitigation Alternatives Considered for the Stibnite Gold Project
- Water Rights Mitigation for the Stibnite Gold Project and Protection of Wild and Scenic River Values on the Salmon River
- Beneficial Use of Contact Water and Mitigation
- Salmon River and Morgan Creek Irrigation Water Deliveries to Jones Property

Each application is described in the following paragraphs, beginning with the application for permit proposing industrial uses at the Project site.



Critical Resources. Responsible Mining. Environmental Restoration.



- **Application for Permit - Industrial, Industrial Storage, and Industrial from Storage Uses at the Mill and Mine Facility.** This application seeks a diversion rate of 9.6 cubic feet per second (cfs) from groundwater, runoff (contact water)¹, and East Fork South Fork Salmon River (EFSFSR) sources and proposes storage of a maximum annual volume of 600 acre-feet in contact water ponds, mine pits, and the tailings storage facility (TSF). The application proposes diversion from up to 50 wells, 10 contact water ponds, 2 underdrain outfalls, and one EFSFSR pump station. The 9.6 cfs diversion rate is based on the sum of modeled peak water requirements for mill demand (4.5 cfs), dust control (0.7 cfs), and drilling water (0.1 cfs), and excess groundwater dewatering (4.3 cfs) that will be treated and discharged. A memo describing the water demands is provided as an attachment to the application.

The 600-acre-foot storage volume was determined based on hydrologic modeling for Mine Year -1 when water must be diverted for initial filling of the TSF starter pool. The starter pool volume requirement is estimated to be 428 acre-feet. The balance of the 600-acre-foot volume allows for up to 172 acre-feet of contact water storage in Mine Year -1. Diversion to storage in the TSF is not contemplated in mine year 1 and beyond, and storage in those years will occur in contact water ponds. Storage is defined as water that is held for more than 24 hours. The annual volume may include cycles of filling and emptying storage space, so that the maximum amount of water stored at any particular time is less than the annual storage volume. A maximum of approximately 500 acre-feet of storage volume will be available in contact water ponds; this volume will vary by mine year.

The 9.6 cfs diversion to storage rate assumes that there will be 9.6 cfs of diversion capacity available from groundwater and EFSFSR sources at the time of initial fill of the TSF. A diversion to storage rate is not provided for runoff because runoff will not be diverted from a natural watercourse.

The federal Wild and Scenic River water right 77-11941 on the Salmon River is not subordinated to storage. To allow for diversion and detention of water at times when flows in the Salmon River are less than the amounts quantified by Wild and Scenic River right 77-11941, mitigation will be provided to the river in the form of non-diversion of an irrigation water right in the Salmon River basin upstream of the Wild and Scenic River reach. A mitigation plan is attached to the application.

The application fee is \$610.00 based on the 9.6 cfs diversion rate.

- **Application for Transfer - Mining Right 77-7285.** Water right 77-7285 authorizes diversion of 0.5 cfs and 30.2 acre-feet of groundwater for mining purposes, including 9.0 acre-feet for mining storage and mining from storage. The application for transfer

¹ "Contact water" is Project-area stormwater runoff. This diffuse flow must be captured to prevent water quality impacts to surface streams. Captured contact water will be either treated and discharged or beneficially used for industrial purposes. While a water right is not necessarily required to capture stormwater runoff that has not entered a waterway, Perpetua proposes to include contact water at this time as a source as part of the application.





proposes to change the place of use to the proposed mine and mill area. Up to 12 proposed supply wells and one existing well in the Hangar Flats vicinity are contemplated as points of diversion. Storage will occur in contact water ponds near the wells.

The application fee is \$500.00 based on the 0.5 cfs diversion rate. An ownership change fee is not included because the current owner (Stibnite Gold Company) merged with Idaho Gold Resources Company, LLC, the surviving company. Perpetua Resources Idaho, Inc. and Idaho Gold Resources Company, LLC are affiliates of Perpetua Resources Corp.

Application for Transfer - Mining Right 77-7122. Water right 77-7122 authorizes diversion of 0.33 cfs and 7.1 acre-feet annually from the EFSFSR for mining and diversion to storage purposes. The application for transfer proposes to change the point of diversion to the pump station on the EFSFSR and the place of use to the proposed mine and mill area.

The application fee is \$500.00 based on the 0.33 cfs diversion rate. An ownership change fee is not included because Idaho Gold Resources Company, LLC (the current owner) and Perpetua Resources Idaho, Inc. are both affiliates of Perpetua Resources Corp.

- **Application for Transfer - Mining Right 77-7293.** Water right 77-7293 authorizes diversion of 0.25 cfs and 20 acre-feet per year from an unnamed stream tributary (locally known as Hennessy Creek) to the EFSFSR for mining purposes. The application for transfer proposes to change the point of diversion to the pump station on the EFSFSR and the place of use to the proposed mine and mill area.

The application fee is \$500.00 based on the 0.25 cfs diversion rate. An ownership change fee is not included because the current owner (Stibnite Gold Company) merged with Idaho Gold Resources Company, LLC, the surviving company. Perpetua Resources Idaho, Inc. and Idaho Gold Resources Company, LLC are affiliates of Perpetua Resources Corp.

- **Application for Permit - Truck Shop and Ore Processing Facility Domestic Use.** A potable domestic water system will serve the truck shop and ore processing facility. An application for permit seeks 0.06 cfs of groundwater to supply this water system. The point of diversion will be an existing public water system well that was constructed in 2012.

The application fee is \$100.00 based on the 0.06 cfs diversion rate.

- **Application for Transfer of Domestic Right 77-7141.** A potable domestic water system will serve the worker housing facility, with a maximum capacity of 750 persons using 50 gallons per person per day. This use is equivalent to an average daily rate of 26 gallons per minute (gpm) (0.06 cfs) and annual volume of 42 acre-feet. An application for transfer of water right 77-7141 (0.20 cfs and 11.4 acre-feet per year) will seek to change





the point of diversion to four wells at the lodge location. The place of use will be around the worker housing facility.

The application fee is \$200.00 based on the 0.20 cfs diversion rate. An ownership change fee is not included because Idaho Gold Resources Company LLC (the current owner) and Perpetua Resources Idaho Inc. are both affiliates of Perpetua Resources Corp.

- **Worker Housing Facility Domestic Use Application for Permit.** Existing water right 77-7141 has adequate diversion rate to meet peak day demands at the worker housing facility but lacks adequate diversion volume to satisfy annual use. An application for permit seeks 0.20 cfs of groundwater, in combination with water right 77-7141, for domestic purposes at the worker housing facility. Proposed points of diversion will be the same four wells listed on the transfer application for 77-7141.

The application fee is \$100.00 based on the 0.20 cfs diversion rate.

- **Landmark Maintenance Facility Application for Permit.** An application for permit will seek 0.04 cfs (18 gpm) of groundwater for domestic and industrial use at the Landmark Maintenance Facility. Industrial uses will include filling of water trucks and vehicle maintenance. One well is proposed.

The application fee is \$100.00 based on the 0.04 cfs diversion rate.

- **Stibnite Gold Logistics Facility Application for Permit.** An application for permit will seek 0.04 cfs (18 gpm) of groundwater for domestic and commercial use at the Stibnite Gold Logistics Facility near Cascade. Commercial uses will include an assay lab. Domestic uses will occur in offices, warehouses, and the assay lab. One well is proposed.

The application fee is \$100.00 based on the 0.04 cfs diversion rate.

A check in the amount of \$2,710.00 is enclosed for application fees. We look forward to working with the Idaho Department of Water Resources during processing of these permits. Please do not hesitate to contact us with questions or comments.

Thank you for reviewing this information.

Sincerely,
Perpetua Resources

Alan Haslam
Vice President of Permitting

