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Form 202A - 04/12

FEB 26 2014

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ID No. TP-77-51

APPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION

(For a use not intended to become an established water right, not to exceed a total diverted volume of five (5) acre-feet, and not to exceed one (1) year duration in accordance with Section 42-202A, Idaho Code.)

Name of applicant: MIDAS GOLD INC Phone: 208-901-3047

Address: 405 S. 8th Street, Suite 201 Email: fend@midasgoldinc.com

1. Source of water: Hennessey Crk., Fiddle Crk., Yellow Pine Pit tributary to East Fork, South Fork, Salmon River

2. Location of point(s) of diversion:

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #
							Valley	See remarks on map	

3. Location of place of use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

4. Describe proposed use of water Mineral exploration activities

5. Amount of water:

Maximum rate of diversion _____ cfs or 350 gpm.

Maximum daily volume 0.088 AF; total volume 5 AF.

6. Duration of diversion: from March 2, 2014 to March 1, 2015
Day-month Day-month

7. Describe proposed diverting works: Pumps with screens in Hennessey Creek, Fiddle Creek, Yellow Pine Pit

8. a. Who owns the property at the requested point of diversion? Midas Gold Inc.

b. Who owns the land to be irrigated or place of use? Midas Gold Inc. / U.S. Forest Service

c. If the property is owned by a person other than the applicant, describe the arrangement allowing access to the water:
Payette National Forest approval is from an approved 3 year exploration plan of operation via a DN/FONSI

9. Additional remarks: Three points of diversion (see map): Fiddle Creek (T18N, R09E, Sec. 10 NWNE);
Hennessey Creek (T18N, R09E, Sec. 3, SWNE); Yellow Pine Pit (T18N, R09E, Sec. 3, SENE).

Temporary permit is mitigated by water right 77-7293.

I hereby acknowledge that I assume all risk if the diversion and use of the water under this approval injures other water rights. I certify this is a temporary use and that I am not seeking a continuing right to use water.

Signature of applicant [Signature] Date 2/25/2014

Received by CN Date 2/26/2014 Time 11:00 pm

\$50.00 fee received by CN # W0418209 Date 2/26/2014

Watermaster Comments received? _____ Date _____

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Action of the Director of the Department of Water Resources

This is to certify that the Department has examined this application for temporary approval to use water under the provision of Section 42-202a Idaho Code, and has determined that:

The application for temporary approval should be Approved since

- 1. The temporary approval can be properly administered*
- 2. Other water sources are not readily available*
- 3. The approval is in the public interest*
- 4. The approval will not injure know public values associated with the water source or any known water rights.*
- 5. Comments have been sought from the US Forest Service, Idaho Dept. of Fish & Game, and Idaho Department of Environmental Quality under previous authorization TP- 77-34.*

Approval is subject to the following conditions:

1. Diversion and use of water under this approval is subject to all valid existing water rights.
2. The applicant assumes all risk for the use of water under this approval and injury to other water rights.
3. This approval authorizes a maximum diversion volume of **5.0 acre-feet** and a maximum diversion rate of **350 gallons per minute**. Record for the water diversion volume (number of truck loads) will be kept by the holder. The records shall be provided to the Department upon request.
3. This approval does not grant a right-of-way across the land of another, does not create a continuing right to use the water, and may not be used in connection with a use which requires a continuing water supply.
4. The Department may cancel this approval at any time if the Department identifies injury to other water rights.
5. This approval commences on **March 1, 2014** and expires on **March 1, 2015**.

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6. The holder of this temporary permit shall not divert at a rate or in a manner that will significantly reduce the flow in the water source or otherwise adversely affect fish, wildlife or other public values. At no time shall the diversion rate exceed 25% of the total creek flow.
7. A ¼ inch mesh screen shall cover the pump intake.
9. Direct discharge of waste flow/material into any stream or draw is not authorized. Discharge and processing of slurry/waste materials will comply with Forest Service and related regulatory agency permits and regulations.
10. The water use approved herein is subject to and shall conform to the terms of the approved Forest Service Plan of Operations for this location.
11. Site activities must comply with Idaho Water Quality Standards
12. This temporary permit is mitigated by water right no. 77-7293

Application for Temporary Water Appropriation No. TP-77-51 in the name of Midas Gold Inc. is hereby approved.

Dated this 27th day of February, 2014

John Westra
John Westra, Manager Western Region

Cc: S. Spencer, Forest Service

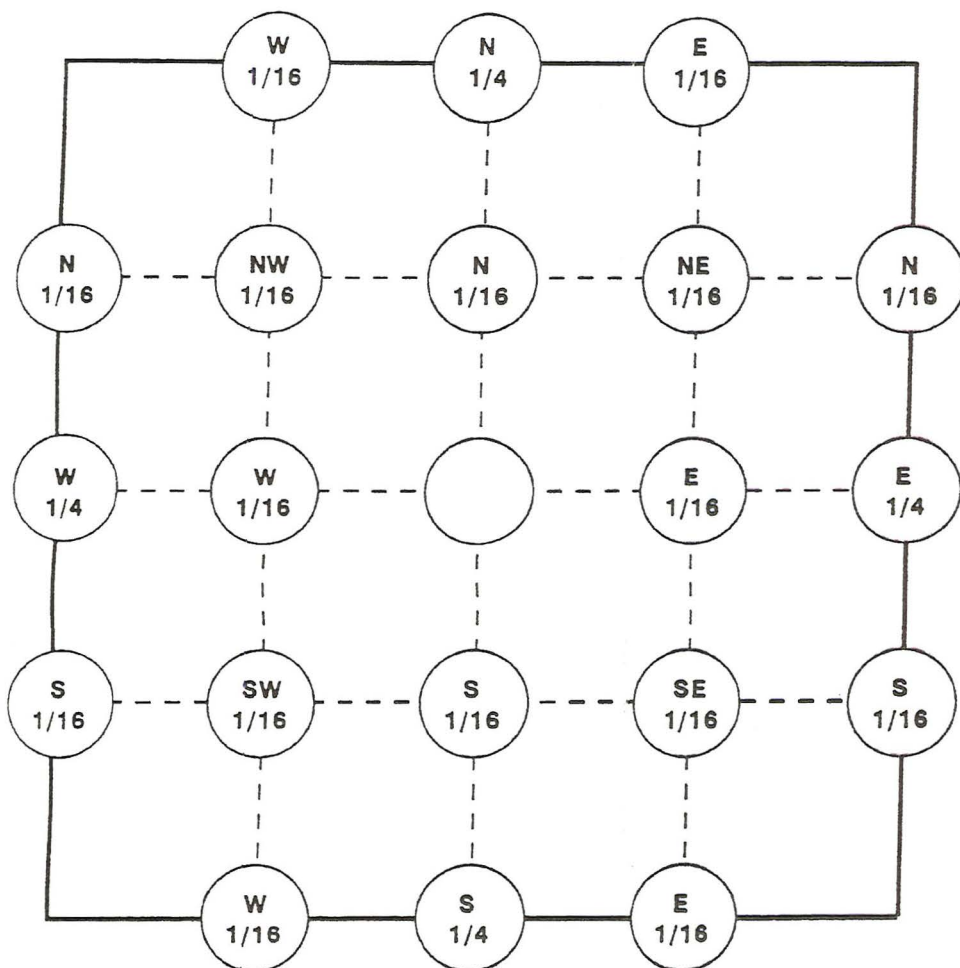
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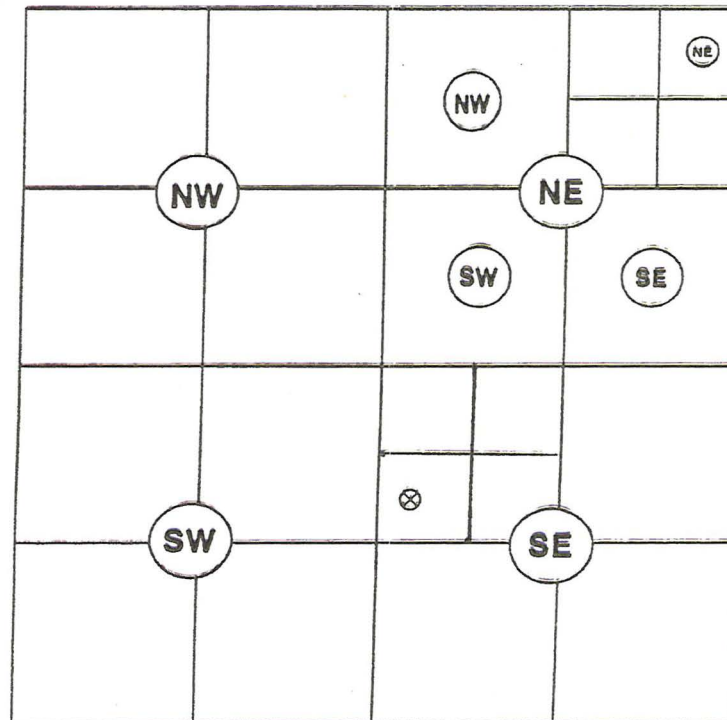
WATER RESOURCES
WESTERN REGION

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Section border 1/16th corners are identified with the adjoining sections as designators. Interior 1/16th corners are identified with its respective section only.

6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36



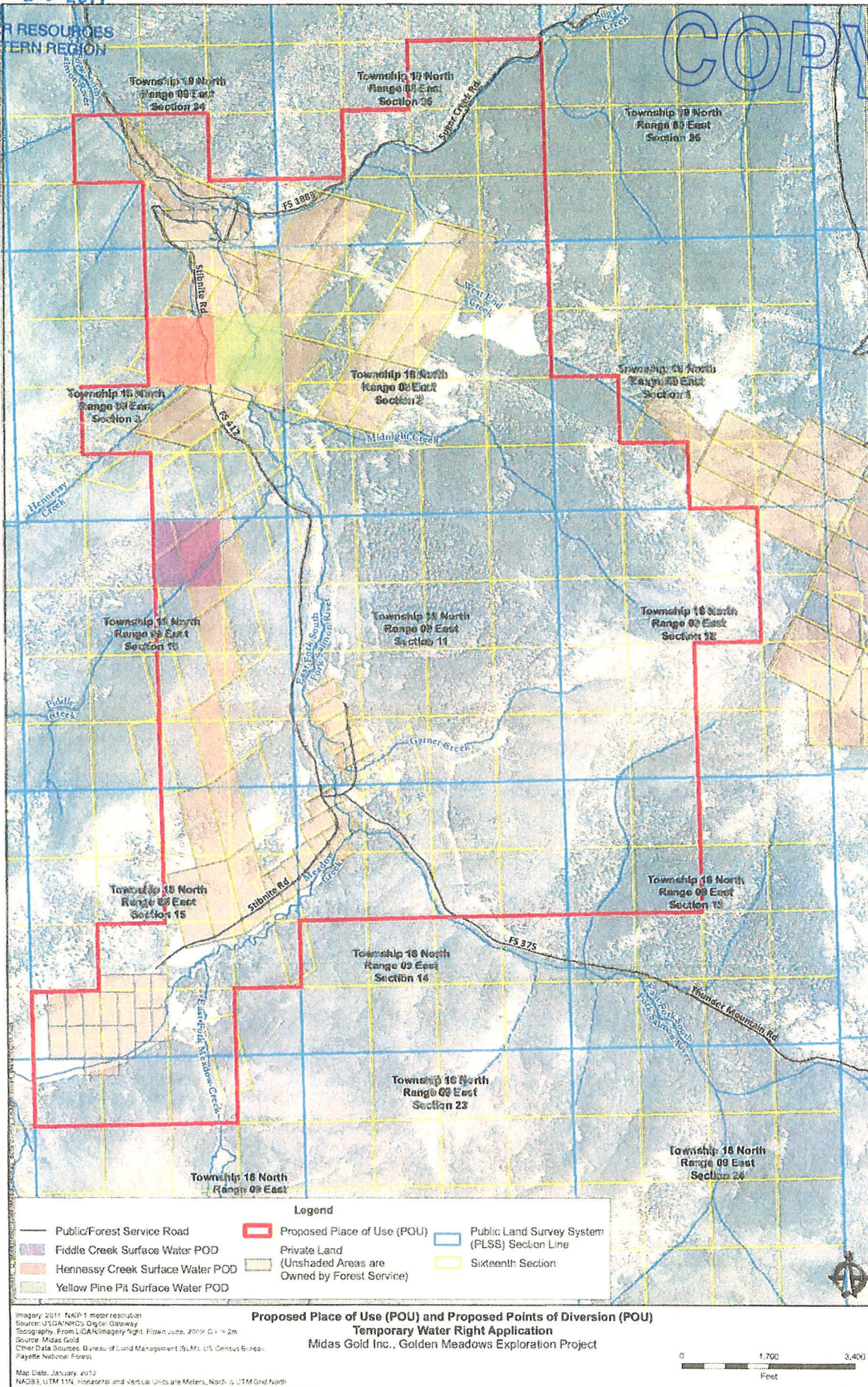
⊗ LEGAL DESCRIPTION EXAMPLE
Tns 14S; Rng 23E; Sec 14; SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ B.M.

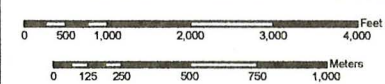
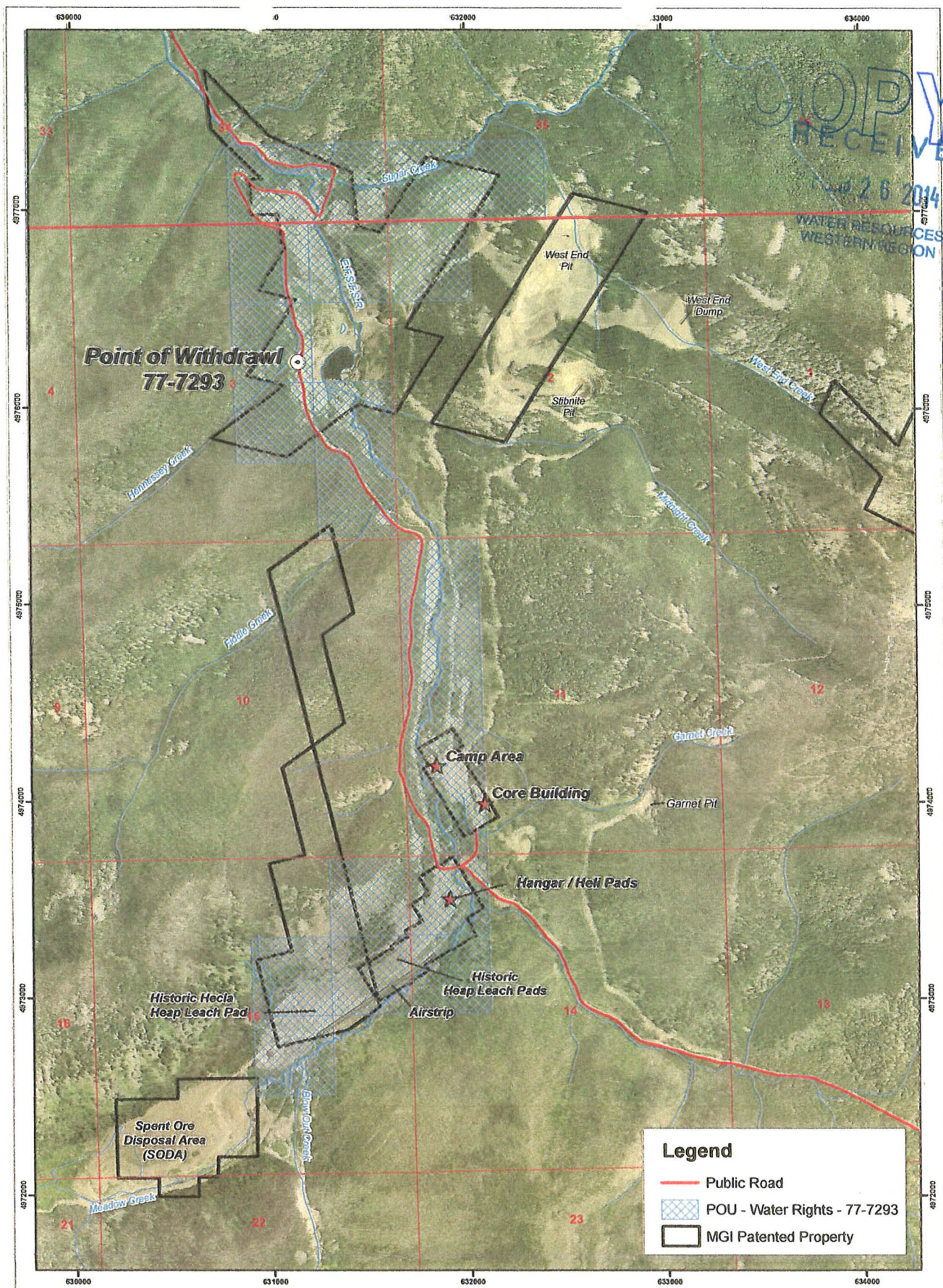
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405 S. 8th Street, Suite 201
Boise, ID 83702 USA

Golden Meadows at Stibnite
POU - Water Rights
Golden Meadows Project
Stibnite Mining District
Valley County, Idaho

02-25-14

Plate 2 - Existing Site Features.mxd

SPATIAL REFERENCE: NAD 1983, UTM Zone 11N, Meters