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Amended by Rax

TP-63-205

Form 202A 07/13 APR 15 2015

ID No. ?

COPY

IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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: Randy Neumann & Michael McClure Phone: 509-217-1784Mailing address: 620A Hydra Pl City: Post FallsState: ID ZIP: 83854 Email: rapaneu@gmail.com1. Source of water: (1) Jordan Creek (2) Clear Creek tributary to (1) Owyhee River Basin (2) Maras Creek-Boise 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 #
(1) 4S	4W	31			SE	SE	Owyhee	Jordan Creek	6
(2) 8N	6E	29			SE	SW	BOISE	Clear Creek	

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	
(1) 4S	4W	31																X	R
(2) 8N	6E	29														X			

4. Describe proposed use of water to run high banker then filter back to creek

5. Amount of water:

Maximum rate of diversion _____ cfs or < 100 gpm. [A]Maximum daily volume 5 hrs = 30,000 gal AF; total volume < 5.0 AF.6. Duration of diversion: from May 1st to May 15th (day-month) to May 15th to May 17th (day-month) [B]7. Describe proposed diverting works: Water to high banker then to sedimentation pond then filtered back to creek [C] BMP8. a. Who owns the property at the requested point of diversion? BLMb. Who owns the land to be irrigated or place of use? BLM

c. If the property is owned by a person other than the applicant, describe the arrangement allowing access to the water:

Placer Mining claims9. Additional remarks: The pump is rated at 158 GPM maximum - I will be running pump at 50%-75% power [B] Schedule: Clear Creek - 5/18 to 6/12 = 20 days = 600,000 gal + 6/22 to 7/17 = 20 days = 600,000 gal + Clear 7/27 to 8/31 = 26 days = 780,000 gals + Jordan Creek 9/7 to 10/2 = 20 days = 600,000 gal + 10/12 to 11/6 = 20 days = 600,000 gal = Total 3,180,000 gal [C] BMP - 12' x 8' w/ artificial turf with 6" high silt with up to 5' wettles for filtration

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 Randy NeumannDate 4-15-15Received by db Date 4/15/15 Time _____\$50.00 fee receipted by db # N 031174 Date 4/15/15

Watermaster comments received? _____ Date _____

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APR 29 2015

WATER RESOURCES
WESTERN REGION

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

- ☐ A. The application for temporary approval should be denied.
- ☒ B. 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 known public values associated with the water source or any known water rights.

This application is therefore hereby:

- ☐ A. DENIED
- ☒ B. APPROVED, 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 the use of the water under this approval may injure other water rights.
 3. This authorizes a maximum diversion of 5 AF and a maximum rate of diversion of 100 CFS or GPM.
 4. 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.
 5. The department may cancel this approval at any time if the department identifies injury to other water rights.
 6. This approval does not create a continuing right to use water.
 7. 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.
 8. A ¼ inch mesh screen shall be installed on the pump intake.
 9. Direct discharge of waste water/slurry into rivers, creeks, or streams is not authorized.
 10. All equipment involved with transporting water shall be treated/sterilized prior to use to avoid spread of invasive aquatic species and may require inspection. Contact the Idaho State Department of Agriculture (www.agri.idaho.gov) for specific recommendations at 208-332-8500 or by email to info@agri.idaho.gov.
 11. This temporary use of water remains subject to control of the Boise River Watermaster.
 12. This approval is subject to the availability of Boise River Rental Pool water to mitigate water losses and injury to existing water rights. This authorization will require the rental of 5 AF of water from the Boise River Rental Pool (2 AF minimum). Contact Boise River Watermaster, 208-908-5480.
 13. This approval expires on November 6, 2015. ELK CREEK = August 1

Signed this 29th day of April, 2015


For the Director

QUITCLAIM DEED

For Bureau of Land Management (BLM) Use:

RECEIVED
2015 FEB -2 AM 10:27
INFORMATION
ACCESS CENTER

For County Recorder's Use:

Rerecord to correct Instrument # 285643

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APR 15 2015

IDWR / NORTH

FOR VALUE RECEIVED, **Mining Resources LLC**, 3605 Pollard Lane, Star, Idaho 83669, the party of the first part, and

Randy Neumann, a single person, of **621A Hydra Pl.**, Post Falls, Idaho 83854, the party of the second part,

WITNESSETH, that the party of the first part does by these presents remise, release and forever QUITCLAIM unto the party of the second part, and to party of the second part's heirs and assigns, forever, **following described unpatented association mining claim known as "DeLamar Gold 2" placer claim, BLM Serial No. IMC212516**, more particularly described as, STATE of IDAHO, Owyhee County, to-wit:

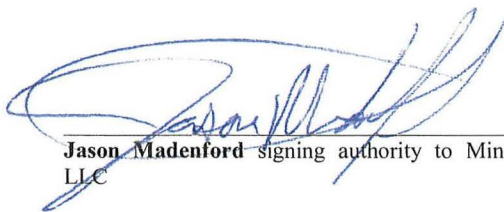
Said 10 acre placer mining claim located in the W1/2 NW SE SE, E1/2 NE SW SE, of Section 31, Township 4S, Range 4W, Owyhee County, Boise Meridian, State of Idaho, and further described as;

The True Point of Beginning commencing at the NW Corner of E1/2 NE SW SE of said Section 31; thence east a distance of 660 feet; thence south a distance of 660 feet; thence west a distance of 660 feet; thence north a distance of 660 feet to the True Point of Beginning.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said party of the second part, and their heirs and assigns forever.

IN WITNESS WHEREOF, the party of the first part has hereunto set their hands and seal the day and year first herein written.

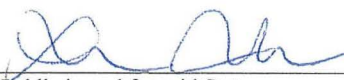
Dated this 2nd day February, 2015.

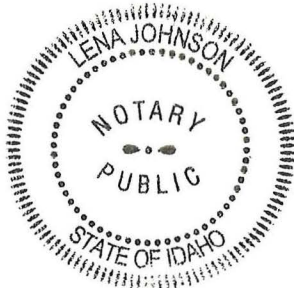

Jason Madenford signing authority to Mining Resources LLC

State of Idaho

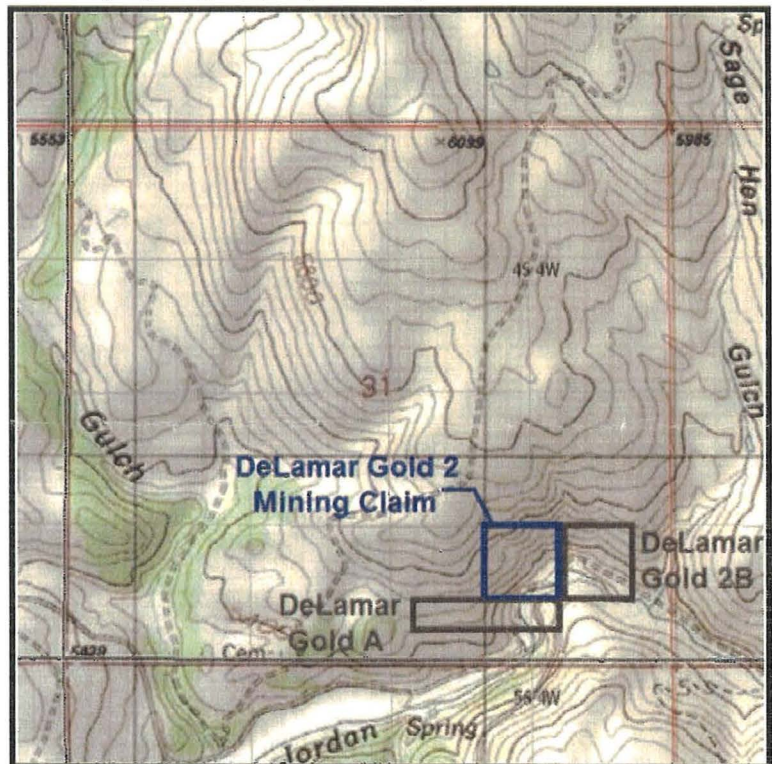
County of Owyhee

Subscribed and sworn to before me this 2nd day of February 2015.


Notary Public in and for said State
My commission expires: 5/8/19



Township 4S, Range 4W, Owyhee County



Instrument # 285778


MURPHY, OWYHEE, IDAHO

2-2-2015 09:36:08 AM No. of Pages: 1

Recorded for : JASON MADENFORD

ANGELA BARKELL

Fee: 10.00

Ex-Officio Recorder Deputy 

Index to: DEED, QUIT-CLAIM



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 28, 2015

Randy Neumann
Michael McClure
620A Hydra Pl
Post Falls, ID 83854

RE: Application for Temporary Water Appropriation

Dear Applicants:

Attached is your application for a Temporary Water Appropriation for highbank mining. The application is being returned for lack of sufficient fees. The application proposes two separate mining activities in two separate locations and requires two separate applications and fees. Please resubmit on two application forms and pay the balance required (\$50) for two applications. I have also enclosed a check list to ensure you submit all the necessary information.

You should note that Jordan Creek typically has limited water available, especially after spring runoff. This year's snow pack in the Owyhee Basin is very low, so your application may be denied unless you can demonstrate that water is available or mitigation can be provided to offset depletions to the creek due to your diversion and use of water.

Should you have questions, please contact me at the Western Regional Office, phone 334-2190.

Sincerely,

Jeff Peppersack
Interim Manager, Western Region

Enclosure: application, information/checklist

JP 4/29/15

letter not sent, applicant called
+ Rachel read concerns to him
Applicant sent in revised application to
remove Jordan Ch.

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Form 202A 07/15

APR 15 2015

ID No. _____

IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Superceded

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	TWP	RGE	SEC	NE				NW				SW				SE				Totals
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
(1)	4S	4W	31																X	
(2)	8N	6E	29											X						

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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 Randy NeumannDate 4-15-15Received by db Date 4/15/15 Time _____\$50.00 fee received by db # N031174 Date 4/15/15

Watermaster comments received? _____ Date _____

Peppersack, Jeff

To: rapaneu@gmail.com
Subject: Application for Temporary Approval of Water Appropriation

Mr. Neuman,

We received your FAX amending your application for a temporary appropriation of water for highbanking. The amendment removes the Jordan Creek portion of your application. I am processing the Clear Creek portion based on that amendment. One thing of note is the total volume. A temporary appropriation of water is limited by law to 5 acre-feet of water. Your proposed schedule says a total of 3,180,000 gallons will be diverted. That amount equates to almost 10 acre-feet. An approval of your request will limit your diversion to 5 acre-feet, meaning that you may only divert about ½ of the amount you anticipated. Also please note that the use of water in a closed basin requires mitigation. Instructions will be provided to you regarding rental of stored water from Water District 63 in the amount of 5 acre-feet.

Jeff Peppersack
Interim Western Region Manager



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

TP-63-205

April 30, 2015

RANDY NEUMANN
MICHAEL MCCLURE
620A HYDRA PL
POST FALLS ID 83854

RE: Temporary Permit No. TP-63-205

Dear Applicant(s):

Your application for Temporary Water Appropriation has been approved and is enclosed.

Please be advised the approval only authorizes the temporary use of water. It does not grant trespass or other activity on public land or on private property.

Please note the conditions of approval to understand the limitations associated with the temporary use of water. The expiration date cannot be extended under this temporary approval.

See the enclosed rental pool lease agreement to contact Boise River Watermaster Rex Barrie at 208-908-5480 for the required follow up before diverting water under this temporary approval.

If you have any questions regarding this matter, please call me at 208-334-2190.

Sincerely,


for Jeff Peppersack
Interim Manager, Western Region

Enclosure