

RECEIVED

Form 202A 07/13

AUG 14 2014

ID No. TP-45-13DEPT OF WATER RESOURCES  
SOUTHERN REGIONSTATE 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: Radius Gold Inc. Phone: 604-801-5432  
 Mailing address: 650-200 Burrard Street City: Vancouver  
 State BC ZIP V6C 3L6 Canada Email: dclark@goldgroup.com

1. Source of water: Goose Creek tributary to \_\_\_\_\_  
 2. Location of point(s) of diversion: \_\_\_\_\_

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #
16S	21E	13		SW	NE	NW	Cassia	Goose Creek	
16S	21E	13		NW	NE	NW	Cassia	Goose Creek	

3. Location of place of use: \_\_\_\_\_

*See \* per Telephone Conversation with Eric Klepper on 8/15/2014*

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	22E	21									X	X				X	X		

4. Describe proposed use of water Mine exploration. Drill water and other related exploration activities for the Blue Hill Exploration Project.

5. Amount of water:

Maximum rate of diversion \_\_\_\_\_ cfs or 50 gpm.Maximum daily volume 0.11 AF; total volume 5 AF.

6. Duration of diversion: from 15-August (day-month) to 15-December (day-month).

7. Describe proposed diverting works: A small sump pump will be placed into the stream diverting water to a water truck

8. a. Who owns the property at the requested point of diversion? Bureau of Land Management

b. Who owns the land to be irrigated or place of use? Bureau of Land Management and Winecup Inc.

c. If the property is owned by a person other than the applicant, describe the arrangement allowing access to the water:  
The split estate and Radius Gold have a surface use agreement. A Notice of Intent was filed with the BLM.

9. Additional remarks: \_\_\_\_\_

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.

Dclark  
 Signature of applicant

11 Aug 2014  
 Date

Received by DM Date 8-14-2014 Time 12:00 PM

\$50.00 fee receipted by DM # 5034234 Date 8-14-2014

Watermaster comments received? By phone Date 8/25/14

Ozley Const Co. e-mail 8/27/14

**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.

Currently no water  
available due to prior  
appropriation.

☐ 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 approval authorizes a maximum diversion of \_\_\_\_\_ AF and a maximum rate of diversion of \_\_\_\_\_ cfs.
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. Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
9. This approval expires on \_\_\_\_\_.

Signed this 15<sup>th</sup> day of October, 20 14.

  
\_\_\_\_\_  
For the Director



## Memorandum

**Date:** August 18, 2014

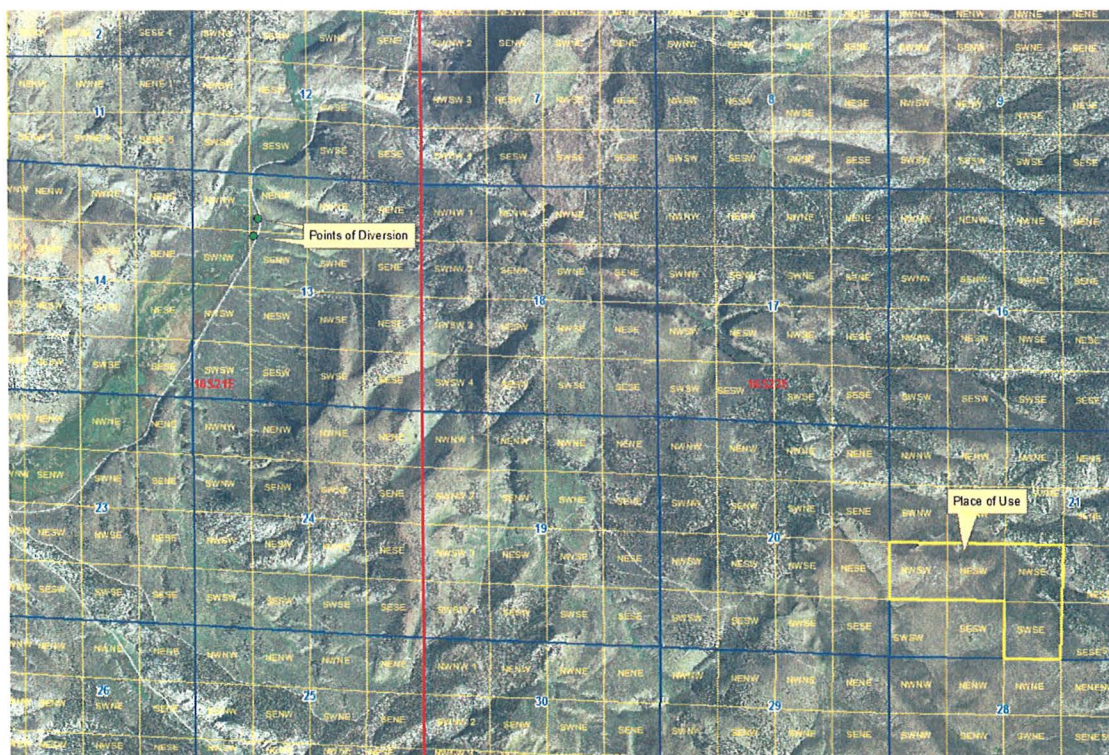
**To:** Allen Merritt

**From:** Bill Mills

**RE:** Application for Temporary Approval of Water Appropriation

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Application proposes to divert up to a maximum of 0.11 AF (35,844 gallons) per day with a maximum volume of 5 AF from 08/15/2014 to 12/15/2014 for use in mineral exploration. The points of diversion are located in the SWNENW and NWSNW of Sec 13, Twp 16S Rge 21E. A small pump will be placed in Goose Creek at either point of diversion and used to fill a water truck. Application listed the NWNENW1/4 in error and has been corrected to NWSNW1/4 at the request of Eric Klepfer per a telephone conversation on 8/15/2014. Place of use is located in the NESW, NWSW, NWSE and SWSE of Sec 21, Twp 16S, Rge 22E. Place of use and points of diversion are located within the boundaries of Water District 45C, Goose Creek, and I spoke with the watermaster on the telephone on August 25, 2014 and he indicated there was no water available for appropriation from Goose Creek. Additionally, I received the attached email from Oakley Canal Company, the senior water right holder on Goose Creek, and they opposed approval of this temporary appropriation. Based on the watermaster's statement, I recommend denial of this application.



## Mills, William

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**From:** oakley canal company [oakcanal@pmt.org]  
**Sent:** Wednesday, August 27, 2014 11:54 AM  
**To:** Mills, William  
**Subject:** application for temporary water appropriation

This letter is in reply to Radius Gold Inc. application to obtain 5 acre feet of water from Goose Creek. The board of directors of the Oakley Canal Company are opposed to this request due to the current drought situation. It is felt that the water is needed to replenish the water in the Goose Creek reservoir at this time to provide water for their Stockholders.

Sincerely  
Randy Robinson  
Chairman of the board of directors



Project Management, Engineering, and Environmental Services

RECEIVED  
AUG 14 2014  
DEPT OF WATER RESOURCES  
SOUTHERN REGION

August 11, 2014

Southern Region  
Idaho Department of Water Resources  
650 Addison Ave. W, Suite 500  
Twin Falls, ID 83301-5858

**Re: Radius Gold Inc. - Application for Temporary Approval of Water Appropriation**

To Whom It May Concern:

This letter is written on behalf of Radius Gold Inc. (Radius). Klepfer Mining Services (KMS) is the authorized agent for Radius on this application.

If you have any questions or comments on the enclosed application please contact me or Eric Klepfer (208-771-1472).

Thank you,

A handwritten signature in cursive script that reads "Jessica Swenson".

Jessica Swenson

Enclosure: \$50.00 application fee  
Application for Temporary Approval of Water Appropriation





State of Idaho

## DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

August 18, 2014

MICHAEL POULTON

WATER DISTRICT #45-C

~~605 W 2200 S~~ P.O. Box 279 (per phone call 8/25)

OAKLEY, ID 83346

RE: Application for Temporary Approval of Water Appropriation for Radius Gold Inc.

Dear Mr. Poulton:

A copy of the above referenced application is enclosed. Please review the application, and provide any necessary comments to this office within 7 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 7 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline

Administrative Assistant

Enclosure(s)



State of Idaho

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C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

October 15, 2014

RADIUS GOLD, INC.  
650-200 BURREARD ST  
VANCOUVER, BC V6C 3L6 CANADA

RE: Temporary Water Right Application: TP-45-13

Dear Applicant(s):

Enclosed is a copy of the above referenced Application for Temporary Approval of Water Appropriation Permit, which has been *denied*.

If you have any questions, please feel free to contact this office, and any of our agents will be able to assist you.

Sincerely,

A handwritten signature in cursive script that reads "Denise Maline".

Denise Maline  
Administrative Assistant

Enclosure

cc: Klepfer Mining Services LLC, authorized agent  
Michael Poulton, Water District 45-C