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DEC 31 2013

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESIndent. No. TP-63-159WATER RESOURCES
DIVISION
APPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION

(5 AF or less)

- Name of Applicant DANNI M OR RONARD G SMITH Phone (208) 629-0844
- Address 4140 Mountain Sky Ln Boise ID 83704 Email RES2DMS@cableone.net
- Source of water GRIMES CREEK Tributary to Boise River
 - Location of point of diversion NW 1/4 SE 1/4 Sec. 3 Township 5N, Range 4E B.M.,
County BOISE
 - Location of place of use NW 1/4 SE 1/4 Sec. 3 Township 5N, Range 4E B.M.,
County BOISE
 - Proposed use of water Recreational Mining ? DUST ABATMENT DREDGE PILES
BLM IMC #209147 AURIC MAGDA
 - Amount of water:
Maximum rate of diversion _____ cfs or 80 gpm. MAXIMUM 1 hour per day
Maximum daily volume _____ AF; Total volume 2 AF.
 - Duration of diversion: From 01 MARCH to 30 OCTOBER
Day-month Day-month
 - Proposed diverting works ~~5HP~~ 5HP Pump 2" suction / 2" discharge - 50' hose
 - Who owns the property at the requested point of diversion? USFS
 - Describe the arrangement allowing access to the water USFS MINING CLAIM - direct beachy
Grimes Creek Access
 - Remarks 10'-20' lift to dredge piles, small pond for
holding water + reuse of water in cleaning process

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.

Date

1/2/2014

Applicant

Danni M Smith

Received by JA Date 12-31-13 Time 10:42
 \$50.00 fee received by JA # W041737 Date 12-31-13
 Watermaster Comments received? _____ Date _____

- Applicant picked up approval
(Hond carried)

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:

X a) The application for temporary approval should be approved, since

The temporary approval can be properly administered—no comments were received from other water right

1. Other water sources are not readily available.
2. The approval is in the public interest—reclamation of patented lands previously dredged
3. The approval will not injure known public values associated with the water source or any known water rights.

This application is therefore hereby:

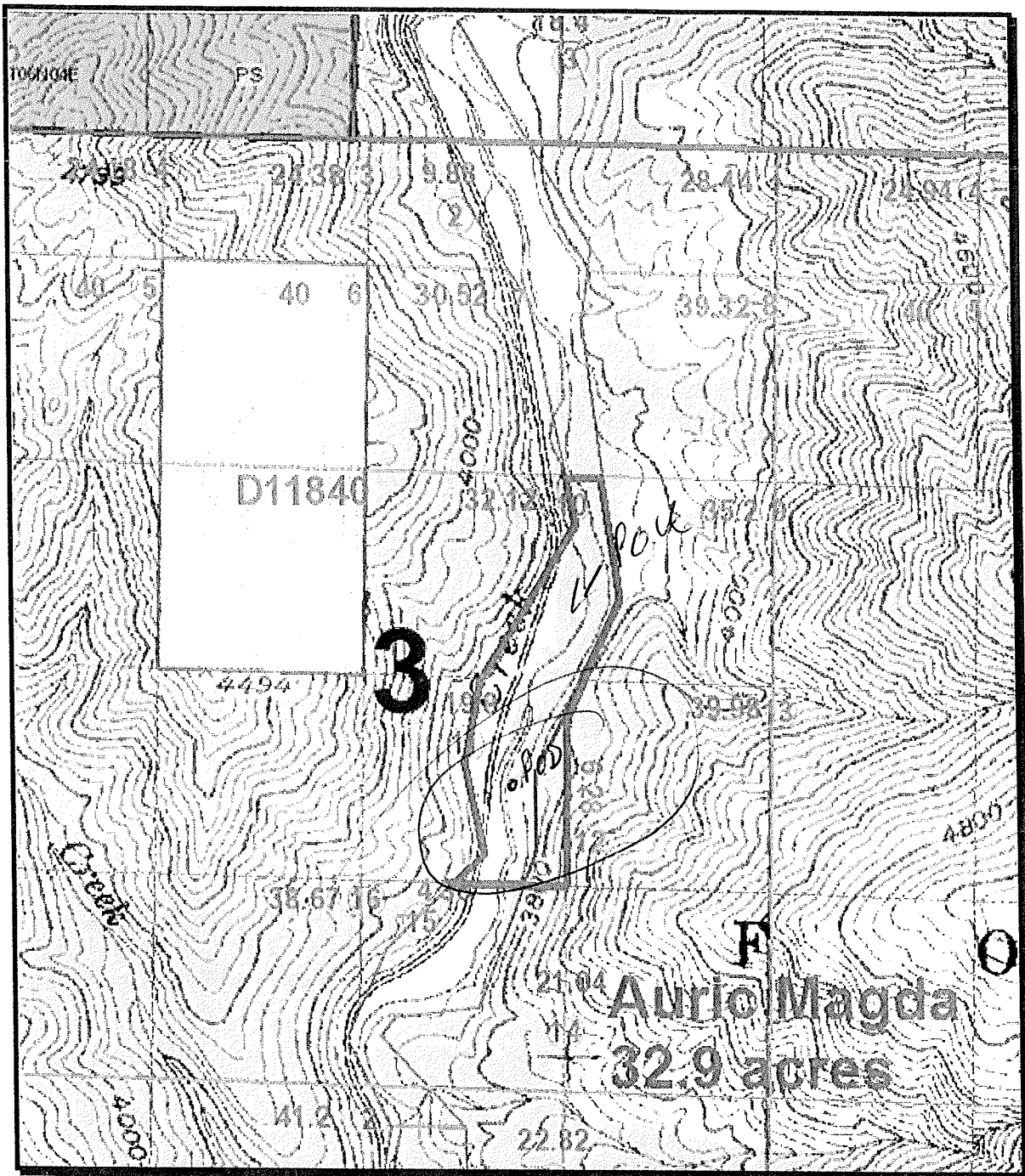
 a) DENIED

X 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 2.0 AF and a maximum rate of diversion of 80 cfs/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 expires on 11/01/14.
7. This approval does not create a continuing right to use water.
8. 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 this diversion exceed 25% of the total creek flow.
9. ¼ inch mesh screen shall be installed on the pump intake
10. Direct discharge of waste water/slurry into rivers, creeks, or streams is not authorized.
11. The water use approved herein is subject to and shall conform to the terms of the Forest Service approved Plan of Operations and /or required authorizations for this location.
12. This approval is subject to the availability of Boise River Rental Pool water to mitigate water losses and injury to existing river water rights. This authorization will require the rental of 2.0 acre foot of water from the Boise River Rental Pool, (2 acre foot minimum). *Contact: Rex Barrie, Boise River Watermaster, phone 208-908-5480.*

DATED this 2nd day of January, 2014.

John Westra, Manager.
For the Director



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Instrument # 239318

IDAHO CITY, BOISE COUNTY, IDAHO

5-3-2013 01:00:12 No. of Pages: 2

Recorded for : KEN JENKINS

MARY T. PRISCO

Fee: 13.00

Ex-Officio Recorder Deputy

Index to: DEEDS

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IDAHO CITY, IDAHO

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INFORMATION
ACCESS CENTER

QUITCLAIM DEED

AURIC MAGDA

In consideration of one hundred dollars U.S. (\$100) and other good and valuable consideration paid, the receipt of which is acknowledged,

Ken L. Jenkins and **Julie A. Jenkins**, husband and wife,

GRANTORS do hereby convey, remise, release and forever quitclaim to:

Ron Smith and **Danni Smith**, whose current mailing address is **4140 Mountain Sky Lane, Boise, Idaho 83704**

GRANTEE, all right, title and interest of Grantors, if any, in and to the following described unpatented placer mining claim known as Auric Magda, BLM IMC Number 209147, more particularly described as follows:

That portion of the Oriole Placer, as described in Mineral Survey Number 1334 recorded on December 2, 1898 in the U. S. Surveyor General's Office in Boise City, Idaho (MS1334), which is located in the South ½ of the Northeast ¼ and in the North ½ of the Southeast ¼ of Section 3 more particularly described as follows: Beginning at the southwestern most corner of Government Lot 12 of Section 3 the REAL POINT OF BEGINNING, thence

- (1) N 19° 19' E 195.4' to Cor. N:5 of MS1334, thence
- (2) N 01° 18' W 488' to Cor. N:6 of MS1334, thence
- (3) N 24° 24' E 1265' to Cor. N:7 of MS1334, thence
- (4) N 08° 27' W 769.3' to northwestern most corner of Government Lot 9, thence
- (5) N 89° 50' W 240.1' to the northeastern most corner of Government Lot 10, thence
- (6) S 12° 34' E 298.3' to Cor. N:20 of MS1334, thence
- (7) S 30° 00' W 1166' to Cor. N:21 of MS1334, thence
- (8) S 10° 28' W 582' to Cor. N:22 of MS1334, thence
- (9) S 14° 36' E 567' to Cor. N:23 of MS1334, thence
- (10) S 44° 27' W 228.5' to the southeastern most corner of Government Lot 11, thence
- (11) S 89° 50' E 419.3' to the REAL POINT OF BEGINNING (26.6 acres)

and

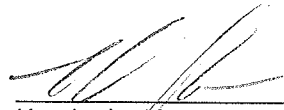
Government Lot 12 (6.3 acres) of

Section 3, Township 5 North, Range 4 East, B.M., County of Boise, State of Idaho.

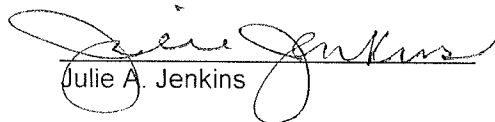
The areas claimed contain 32.9 acres.

To have and to hold the same to Grantees and Grantee's heirs, successors and assigns forever. subject to BLM Annual Maintenance Fees and assessments for the current year and subsequent years and to all valid easements, rights of way, covenants, conditions, reservations and restrictions of record, if any, and also to applicable zoning, land use and other laws and regulations. It is expressly understood and agreed between Grantors and Grantees that the Grantors makes no representations, covenants or warranty of any kind whatsoever. By this instrument, the parties intend that Grantors release to the Grantees whatever interest Grantors may have in the above property, if any.

In Witness Whereof, this Quitclaim Deed is executed under seal on the 30th day of April, 2013.



Ken L. Jenkins



Julie A. Jenkins

Recording Requested By & Return Mailing Address:

Ken Jenkins
PO Box 175
Boise, ID 83701

Notary ~ State of Idaho ~ County of Ada

On this 30 day of April, 2013 before me, the undersigned, a Notary Public in and for said State, Personally appeared Ken L. Jenkins and Julie A. Jenkins, known to me to be the persons whose names are subscribed to this instrument and acknowledges to me that they have freely executed the same.



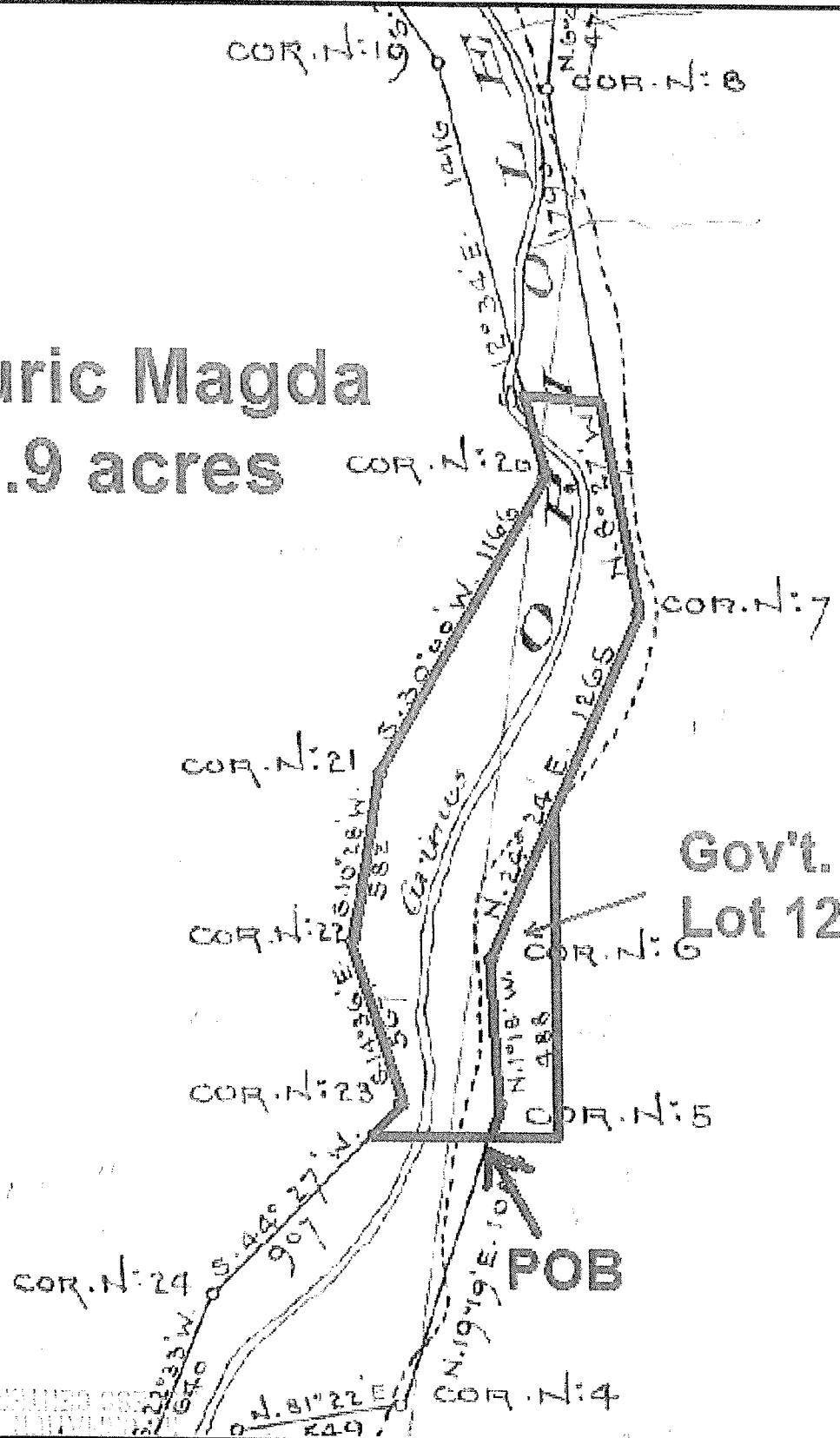
Notary Public for the State of Idaho

County of Ada
My Commission Expires: Aug. 5, 2014



2013 APR - 7 PM 3:19
IDAHO STATE CENTER
BOISE, IDAHO

Auric Magda 32.9 acres



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