

RECEIVED

Basin 82 and Basin 77

Form 202A 04/12

FEB 19 2013

ID No.

TP-82-19

TP-77-44

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:

Premium Exploration (US) Inc

Phone: 208.842.2200

Address:

PO Box 525, Elk City, ID 83525 or also

Email: justin@modroc.com

1. Source of water: see map

tributary to S. Fork Clearwater, Salmon

2. Location of point(s) of diversion:

from Crooked river, S. Fork Clearwater, + Big Green (Salmon drainage)

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #

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

for exploration core drilling

5. Amount of water:

Maximum rate of diversion \_\_\_\_\_ cfs or 50 gpm.

Maximum daily volume 0.0092 AF; total volume 0.84 AF.

6. Duration of diversion: from

April 1st

to

Dec. 31st

Day-month

Day-month

7. Describe proposed diverting works:

FMC 35 or Elexpump, put into pool at least 6" deep

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

Federal Land (NPNF)

b. Who owns the land to be irrigated or place of use?

Federal (NPNF + BLM)

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

9. Additional remarks:

water is used to help drilling + water goes back into the ground.

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

Date

2-14-13

Received by

Date

2/19/13

Time

\$50.00 fee received by

#

N 029655

Date

2/19/13

Watermaster Comments received?

Date

**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 approval authorizes a maximum diversion of 0.04 AF and a maximum rate of diversion of 0.11 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 vaules.
  8. Other: Water intakes should be screened to prevent entrainment or impingement of fish or other aquatic life. The maximum screen mesh size should be 0.25 inches; approach velocities should not exceed 0.5 ft/second.
  9. This approval expires on 12/31/13.

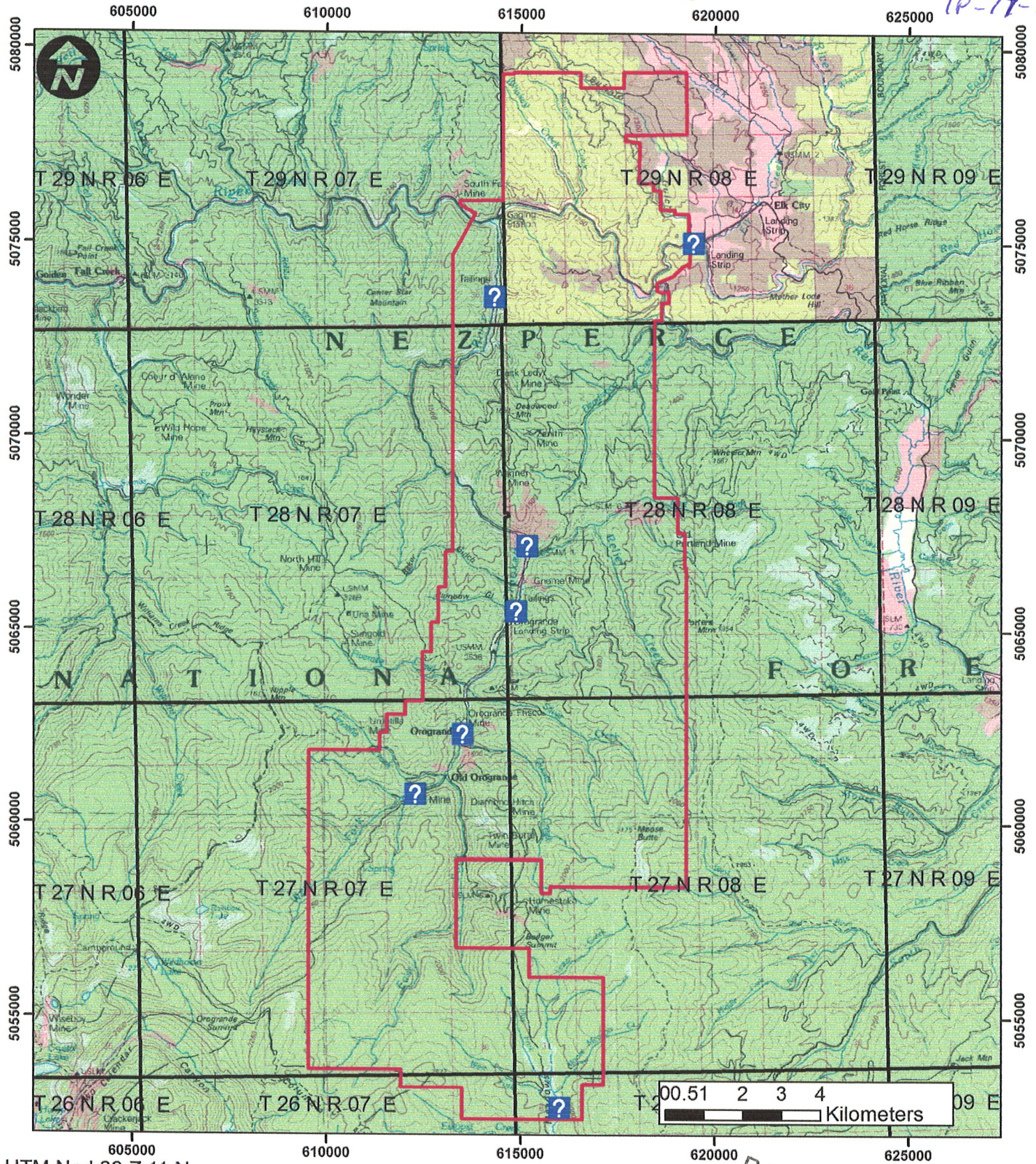
Signed this 4 day of March, 2013.

Beth A. Swanson  
For the Director



# 2013 Premium Exploration H2O Point of Diversion

TP-8229  
TP-77-44



UTM Nad 83 Z 11 N

Date: 2/14/2013

- NFS
- BLM
- Private

? - Point of Diversion

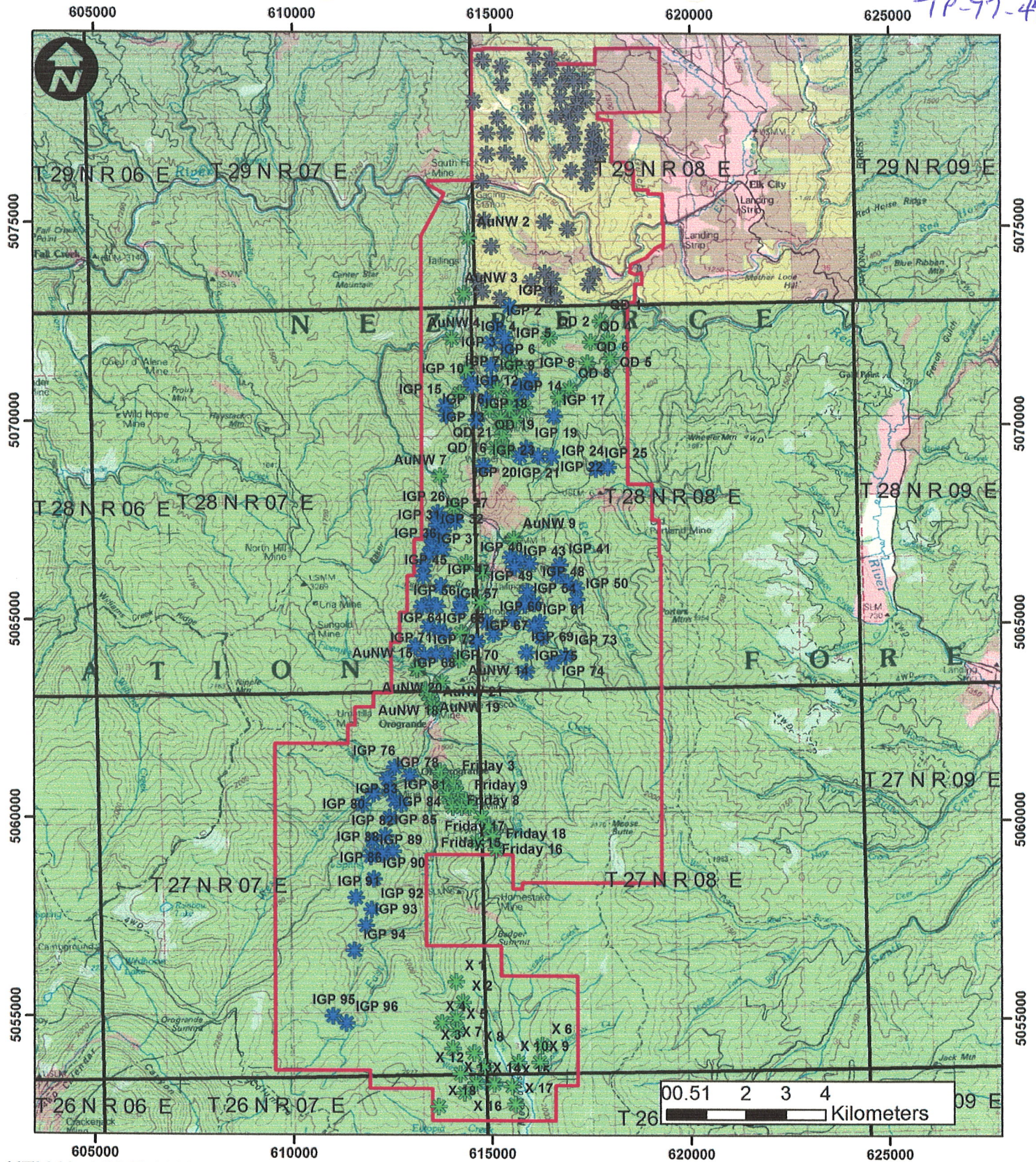
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FEB 19 2013  
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# 2013 Premium Exploration H2O Place of Use

TP-82-29  
TP-77-44



UTM Nad 83 Z 11 N

Date: 2/14/2013

- NFS
- BLM
- Private
- BLM Drill Location
- NFS Drill Location (Part A)
- NFS Drill Location (Part B)

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 PREMIUM  
 EXPLORATION INC.  
 IDWR / NORTH





**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815  
Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

**C. L. "BUTCH" OTTER**  
Governor

**GARY SPACKMAN**  
Director

03/06/2013

PREMIUM EXPLORATION (US) INC  
PO BOX 525  
ELK CITY, ID 83525

RE: Temporary Permit No. TP-82-29 (TP-77-44)

Dear Applicant(s):

Your application for Temporary Approval of Water Appropriation has been granted and assigned number(s) TP-82-29 (TP-77-44).

Please be advised that THE PERMIT IS SUBJECT TO THE EFFECTIVE DATES AND CONDITIONS STATED ON PAGE TWO OF THE APPLICATION.

If you have any questions or if this office can be of further assistance, please contact us.

Sincerely,

A handwritten signature in blue ink that reads "Keith E. Franklin". The signature is written in a cursive, flowing style.

Keith E. Franklin  
Program Manager

Enclosure    Copy of Temporary Permit  
                  Receipt No. N029655



## Franklin, Keith

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**From:** Franklin, Keith  
**Sent:** Thursday, February 21, 2013 10:19 AM  
**To:** 'john.cardwell@deq.idaho.gov'  
**Subject:** Temporary Water Appropriation, Premium Exploration Inc.  
**Attachments:** DOC071.pdf

Mr. Cardwell,

Attached is an application to temporarily appropriate 0.84 acre-feet of water from Crooked River, the South Fork of the Clearwater River and Big Creek for mining exploratory drilling for your review and comment. If you have any questions don't hesitate to contact me at this office.

Thank you.

Keith Franklin

Program Manager Northern Region



## Franklin, Keith

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**From:** Franklin, Keith  
**Sent:** Thursday, February 21, 2013 10:25 AM  
**To:** 'Hennekey,Ray'  
**Subject:** Temporary Water Appropriation, Premium Exploration Inc.  
**Attachments:** DOC072.pdf

Ray,

Attached is an application to temporarily appropriate 0.84 acre-feet of water from Crooked River, the South Fork of the Clearwater River and Big Creek for mining exploration drilling for your review and comment. If you have any questions, feel free to contact me at this office.

Thank.

Keith Franklin

Program Manager Northern Region





**State of Idaho**

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**C. L. "BUTCH" OTTER**  
Governor

**GARY SPACKMAN**  
Interim Director

February 21, 2013

JOHN CARDWELL  
IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY  
1118 F ST.  
LEWISTON, ID 83501

Re: Application For a Temporary Approval of a Water Appropriation

Dear Mr. Cardwell:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding an application to temporarily appropriate a total of 0.84 acre-feet of water from Crooked River, South Fork Clearwater River and Big Creek which are tributary to the Clearwater and Salmon Rivers by Premium Exploration Inc. A copy of the application is attached for your reference.

Would you please submit your comments no later than February, 28, 2013? If we do not hear from you by that date, we will assume that no comment from you, means you have no objection to, concerns about, or conditions pertaining to the issuance of this permit.

You may send comments by regular mail to the address above, by FAX to 762-2819 or by e-mail to [keith.franklin@idwr.idaho.gov](mailto:keith.franklin@idwr.idaho.gov).

If you have any questions, don't hesitate to contact me at this office.

Thank you.

Sincerely,

Keith E. Franklin  
Program Manager Northern Region

Encl/kf





**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

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**C. L. "BUTCH" OTTER**  
Governor

**GARY SPACKMAN**  
Interim Director

February 21, 2013

RAY HENNEKEY  
IDAHO DEPARTMENT OF FISH & GAME  
3316 16<sup>TH</sup> ST.  
LEWISTON, ID 83501

Re: Application For a Temporary Approval of a Water Appropriation

Dear Ray:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding an application to temporarily appropriate a total of 0.84 acre-feet of water from Crooked River, South Fork Clearwater River and Big Creek which are tributary to the Clearwater and Salmon Rivers by Premium Exploration Inc. A copy of the application is attached for your reference.

Would you please submit your comments no later than February, 28, 2013? If we do not hear from you by that date, we will assume that no comment from you, means you have no objection to, concerns about, or conditions pertaining to the issuance of this permit.

You may send comments by regular mail to the address above, by FAX to 762-2819 or by e-mail to [keith.franklin@idwr.idaho.gov](mailto:keith.franklin@idwr.idaho.gov).

If you have any questions, don't hesitate to contact me at this office.

Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Keith', is written over a faint, larger blue outline of the signature.

Keith E. Franklin  
Program Manager Northern Region

Encl/kf





STATE OF IDAHO  
DEPARTMENT OF  
ENVIRONMENTAL QUALITY

RECEIVED  
FEB 28 2013

1118 F Street • Lewiston, Idaho 83501 • (208) 799-4370

IDWR / NORTH

C.L. "Butch" Otter, Governor  
Curt Fransen, Director

February 27, 2013

Keith Franklin  
Program Manager Northern Region  
Idaho Department of Water Resources  
7600 North Mineral Drive, Suite 100  
Coeur d'Alene, Idaho 83815

Dear Mr. Franklin:

We received your request for our comments on the approval of an application for a temporary water appropriation to withdraw a total of 0.84 acre feet of water at 50 gallons per minute, with a maximum daily volume of 0.0092 acre feet from points of diversion on Crooked River, the South Fork Clearwater River near Elk City, and Big Creek a tributary to the Salmon River. The appropriated water will be used for supporting exploration core drilling at numerous sites. We assume the water will be obtained using a potable water pump and transported to drill sites using a truck mounted tank. We also assume all federal, state and local permits have been obtained, regulations met, and the exploration and mining plan of operation does not include a discharge to waters of the State.

Big Creek is in water body ID17060207SL069 and is currently listed in in Category 2 of the Idaho 2010 Integrated Report as supporting its beneficial uses. Crooked River and the South Fork Clearwater River are included in water bodies ID17060305CL031, ID17060305CL032, ID17060305CL036 and are currently listed in Category 4a having a Total Maximum Daily Load (TMDL) allocation for sediment and temperature. The TMDL is a pollution management plan that calculates the maximum amount of a pollutant allowed in the creek based on the volume or flow of water in the creek. Reduction in flow in these waters can cause pollutant increases that exceed the total maximum daily load and Idaho water quality standards.

Based on the information included in the TMDL, available flow information for these water bodies, and the nature of the requested diversions we believe the requested withdrawals can be made from Big Creek, Crooked River, or the South Fork Clearwater River without an impact to water quality if existing access points are used, discharge to state waters does not occur, and riparian vegetation is not disturbed.

Thank you for the opportunity to comment. If you have any questions regarding the Idaho Water Quality Standards or this letter, please call or email me at (208) 799-4370 or [John.Cardwell@deq.idaho.gov](mailto:John.Cardwell@deq.idaho.gov).

Sincerely,

A handwritten signature in blue ink that reads "John Cardwell".

John Cardwell  
Water Quality Program Manager

cc: Clayton Steele, Regional Administrator



## Franklin, Keith

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**From:** Justin j. Modroo [justin@modroo.com]  
**Sent:** Monday, March 04, 2013 6:09 AM  
**To:** Franklin, Keith  
**Cc:** Michael Ostenson  
**Subject:** Re:

Hi Keith,

Thanks for the information. We would plan to use it anywhere from April 1st - December 31st. It would be nice to have the option to use the water at any point in that time frame to help coordinate with our logistics and budget. Let me know if you need anything else.

JjM

--- On Fri, 3/1/13, Franklin, Keith <[Keith.Franklin@idwr.idaho.gov](mailto:Keith.Franklin@idwr.idaho.gov)> wrote:

From: Franklin, Keith <[Keith.Franklin@idwr.idaho.gov](mailto:Keith.Franklin@idwr.idaho.gov)>  
Subject:  
To: "Justin j. Modroo" <[justin@modroo.com](mailto:justin@modroo.com)>  
Date: Friday, March 1, 2013, 10:50 AM

Justin,

Attached are the comments from DEQ. I don't see anything here that would delay issuance of the permit, however, the application did not indicate a duration of use. From what month to what month? Please forward to me the intended period of use.

Thanks

Keith.