

RECEIVED

Form 202A (04/12)

JAN 29 2013

ID No. TP 77-43

DEPT OF WATER RESOURCES

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: Midas Gold, Inc. Phone: cell: 208-315-5851Address: 405 S. 8th Street, Suite 201 Email: moses@midasgoldinc.com1. Source of water: Hennessy Creek, Fiddle Creek, Yellowpine 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 and 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 Exploration mining activities.

5. Amount of water:

Maximum rate of diversion _____ cfs or 350 gpm.Maximum daily volume 20,000 gal/day AF; total volume 5 AF.6. Duration of diversion: from February 2, 2013 to February 2, 2014.
Day-month Day-month7. Describe proposed diverting works: Pumps with screens in Fiddle Creek, Hennessy Creek, and Yellow Pine Pit8. 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 would be via a Decision Notice on an acceptable Plan of Operations.9. Additional remarks: Three points of diversion (see map):Fiddle Creek (T18N, R09E, Sec. 10, NWNE); Hennessy Creek (T18N, R09E, Sec. 3, SWNE);Yellowpine Pit (T18N, R09E, Sec. 3, SENE)

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.

Richard Moses

Digitally signed by Richard Moses
Date: 2013.01.16 13:25:19 -0700

January 16, 2013

Signature of applicant

Date

Received by JA Date 1/17/2013 Time 9:57\$50.00 fee received by JA # W040809 Date 1/17/2013

Watermaster Comments received? _____ Date _____

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 **February 1, 2013** and expires on **February 1, 2014**.


Page 3.

Temp. App.— TP-77-43 Midas Gold Inc..

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

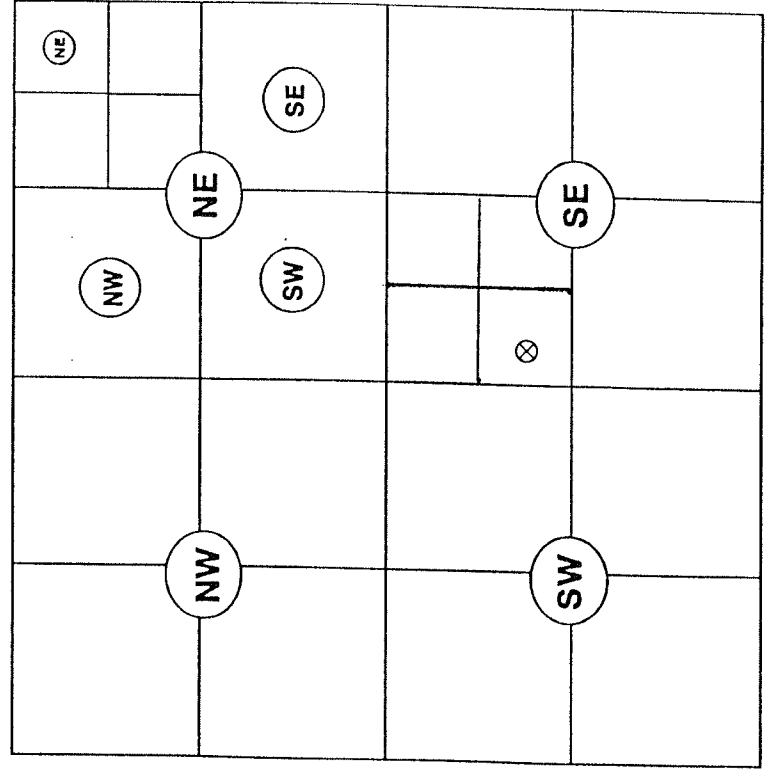
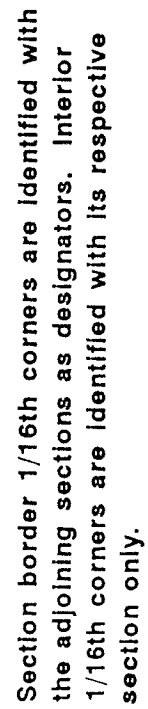
Application for Temporary Water Appropriation No. TP-77-43 in the name of Midas Gold Inc. is hereby approved.

Dated this 28th day of January, 2013

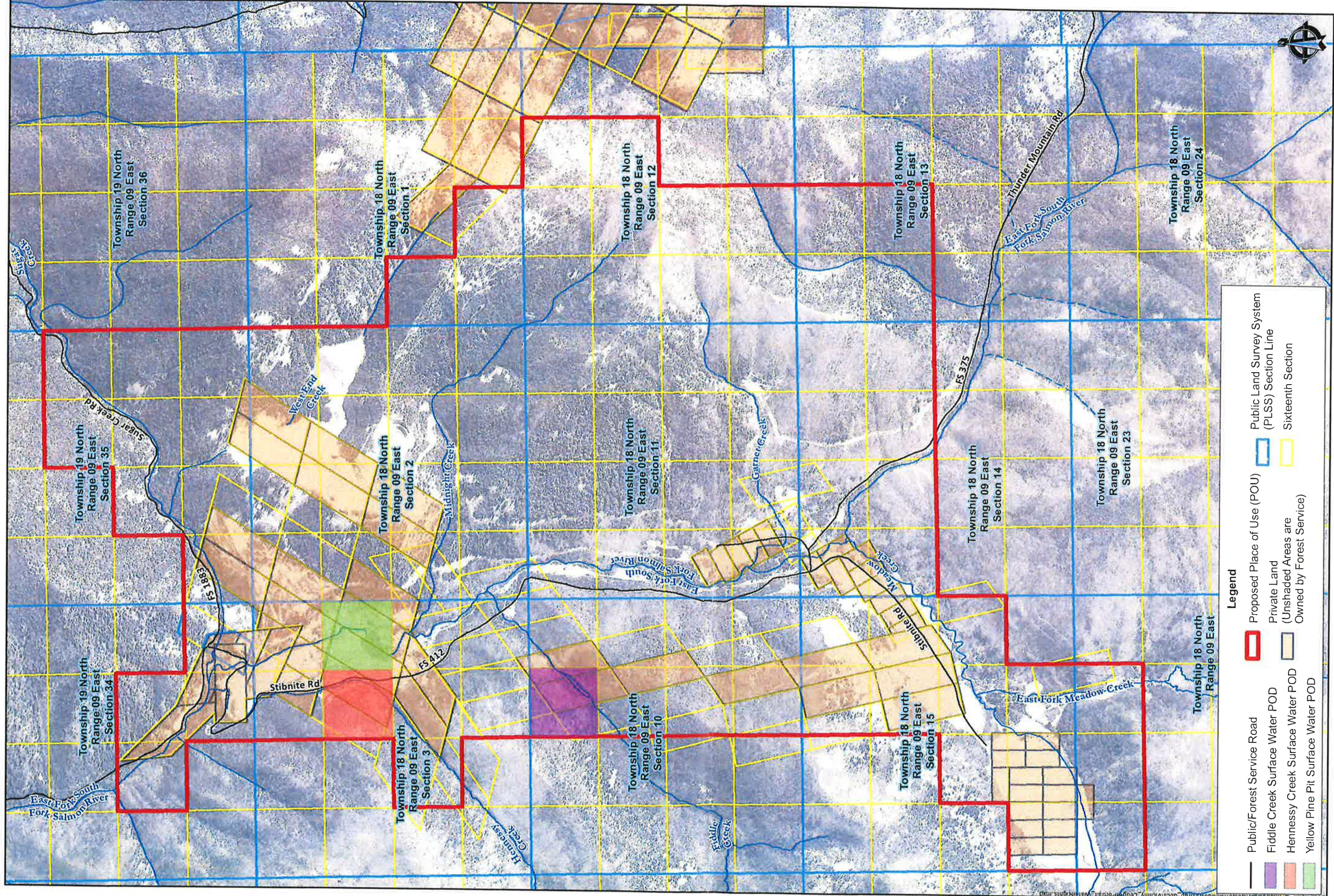


John Westra, Manager Western Region

Cc: S. Spencer, Forest Service



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



Legend

Public/Forest Service Road	Proposed Place of Use (POU)	Public Land Survey System (PLSS) Section Line
Fiddle Creek Surface Water POD	Private Land	Sixteenth Section
Hennessy Creek Surface Water POD	(Unshaded Areas are Owned by Forest Service)	
Yellow Pine Pit Surface Water POD		

Proposed Place of Use (POU) and Proposed Points of Diversion (POU)
Temporary Water Right Application
Midas Gold Inc., Golden Meadows Exploration Project

Imagery: 2011 NAIP 1 meter resolution
Source: USGS/NAIP Digital Gateway
Topography: From LIDAR/Imagery flight, flown June, 2009; C.L. = 2m
Source: Midas Gold
Other Data Sources: Bureau of Land Management (BLM); US Census Bureau; Payette National Forest
Map Date: January, 2013
NAD83, UTM 11N, Horizontal and Vertical Units are Meters, North is UTM Grid North

