

State of Idaho  
Department of Water Resources  
**Water Right License**

WATER RIGHT NO. 63-12377

Priority: February 04, 1997

Maximum Diversion Rate: 0.04 CFS  
Maximum Diversion Volume: 1.0 AF

It is hereby certified that CARY SINGLETON  
1054 ASHWOOD CT  
KUNA ID 83634 has complied with the terms and conditions of the permit,  
issued pursuant to Application for Permit dated February 04, 1997; and has submitted Proof of Beneficial  
Use on March 29, 2002. An examination confirms water is diverted from:

**SOURCE**

MUDDY CREEK

**Tributary:** GRIMES CREEK

and a water right has been established as follows:

| <b><u>BENEFICIAL USE</u></b> | <b><u>PERIOD OF USE</u></b> | <b><u>DIVERSION RATE</u></b> | <b><u>ANNUAL<br/>DIVERSION VOLUME</u></b> |
|------------------------------|-----------------------------|------------------------------|-------------------------------------------|
| MINING                       | 04/15 to 10/31              | 0.04 CFS                     | 1.0 AF                                    |

**LOCATION OF POINT OF DIVERSION:**

MUDDY CREEK L12 (NW1/4NW1/4) Sec. 10, Twp 07N, Rge 05E, B.M., BOISE County

**PLACE OF USE:** MINING

| Twp | Rge | Sec | NE |    |    |    | NW |      |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|------|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW   | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 07N | 05E | 10  |    |    |    |    |    | X    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    | L 12 |    |    |    |    |    |    |    |    |    |    |        |

**CONDITIONS OF APPROVAL**

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.
2. The Director retains jurisdiction of this right to require streamflow augmentation or other action determined to be appropriate to protect prior surface water or ground water rights. Such stream flow augmentation or other action will be required only upon a determination of need and applicability by the Director.
3. The right holder shall comply with any bonding requirements for matters administered by the Department of Water Resources that are applicable to the use of water under this right.
4. The issuance of this right does not grant any right-of-way or easement across the land of another.
5. Turbid water from the mining site shall not be returned directly to the stream.
6. Any discharge to a natural waterway shall comply with Idaho Water Quality Standards and Wastewater Treatment Requirements and EPA NPDES permit requirements.

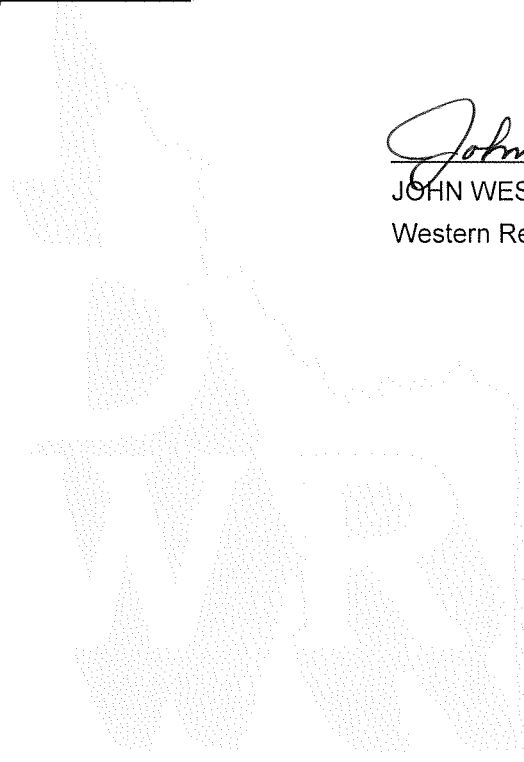
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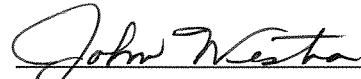
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7. Fuel, oil, and other hazardous materials shall be stored, and equipment refueled away from the stream to ensure that a spill cannot enter the stream channel.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 17<sup>th</sup> day of September, 2012.





JOHN WESTRA

Western Regional Manager