

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

**IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE COEUR D' ALENE-SPOKANE RIVER
BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 49576

Ident. Number 94-3120
Date Received: 12/15/11
Receipt No: 1223891
Received By: 122

**NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly

1. Name of Claimant (s) Hecla Limited Phone (208) 769.4100
Mailing Address 6500 N. Mineral Drive, Suite 200 Coeur d'Alene ID ZIP 83815-9408
Street or Box City State
2. Date of Priority (Only one (1) per claim) 02-27-1923
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water (✓) or Other () (a) _____
which is tributary to (b) _____

4. a. Location of Point of Diversion is: Township 48N, Range 5E, Section 5*,
NW, 1/4 of NE, 1/4 Govt. Lot _____, BM., County of Shoshone

Parcel (PIN) no. N/A

Additional points of diversion if any: Three additional PODs described in Item #5, and shown on attached map

If available, GPS Coordinates N/A

b. If instream flow, beginning point of claimed instream flow is:

Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

ending point is: Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. _____

Water has been historically collected in Tamarack tunnels No. 3, No. 4 and "water tunnel" and conveyed to mining operations within the described POU on the attached map. Additional PODs located in the NW1/4 SE1/4 and the NE1/4 SW1/4 Sect. 5, T48N R5E; and SE1/4 SW1/4 Sect. 8, T48N R5E. Further development at the mine in the 1920s resulted in the creation of a POD at the No. 7 tunnel, where the majority of the flows now exit the underground workings.

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For mining purposes from 01-01 to 12-31 amount 4.6 or

For domestic purposes from 01-01 to 12-31 amount 4.6 or

For fire protection purposes from 01-01 to 12-31 amount 4.6 or

For purposes from to amount or

7. Total quantity claimed (a) 4.6 (cfs) and/or (b) (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) mining/milling activities, inclusive of domestic supply and fire protection

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
48N	5E	5	X	X	X	X				X	X					X			
48N	5E	5			D														
48N	5E	8												D					
48N	5E	8												X					

Parcel (PIN) no(s) N/A

Total number of acres irrigated

10. In which county (ies) are lands listed above as place of use located? Shoshone

11. Do you own the property listed above as place of use? Yes (✓) No ()

If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

or None (✓)

13. Remarks:

1) This water right is subject to Idaho State Statute 42-223(11), to be reserved for future use in accordance with this statute.

2) Tamarack & Custer Consolidated Mining Company, was merged into Day Mines, Inc., in 1947. Day Mines merged into Hecla Mining Company in 1981. Effective November 8, 2006, Hecla Mining Company changed its name to Hecla Limited. See attached documents evidencing the merger history.

*3) Based on information in Permit number 15645 contained in IDWR file 94-2120, the POD/POU are incorrectly shown. Request administrative correction for the PODs and POU's described in Items 4 and 9.

4) Historically flows from tunnels 3 & 4 produced water until mine development predominately rerouted flows to tunnel 7.

Last Name Hecla Limited Identification No.

14. Basis of Claim (Check One) Beneficial Use () Posted Notice () License (✓) Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 94-2120

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication." (b.) I/We do () do not (✓) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: two (map&merge doc)

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date: _____

_____ Date: _____

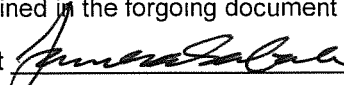
For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

Vice President of Hecla Limited,
Title Organization

that I have signed the foregoing document in the space below as

Vice President of Hecla Limited,
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent  Date 12/14/11

Title and Organization Vice President - Hecla Limited

16. Notice of Appearance:

Notice is hereby given that I, _____, will be acting as attorney at law of behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

Last Name Hecla Limited Identification No. _____