

TP-94-112

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:

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- ___ 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 5 AF and a maximum rate of diversion of 0.08 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 expires on 12/31/2012.
 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.
 9. 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.
 10. Contact the DEPARTMENT OF WATER RESOURCES prior to diversion of water from streams.

DATED this 12/27/11 day of December, 2011.

Keith L. Franklin, For
For the Director

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Basin 94

Form 202a 10/07

DEC 15 2011

Indent. No. TP-94-112

STATE OF IDAHO
IDWR / NORTH DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION
(5 AF or less)Name of Applicant Azteca Gold US Phone (509) 464-0172
Address 1818 W. Francis Ave. #147, Spokane, WA 99205 Email markexplore@comcast.net

1. Source of water Beaver Creek Tributary to _____
2. Location of point of diversion SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27 Township 49N, Range 4E B.M.,
County Shoshone.
3. Location of place of use S 1/2 $\frac{1}{4}$ _____ $\frac{1}{4}$ Sec. 4 Township 48N, Range 4E B.M.,
County Shoshone.
4. Proposed use of water Exploration drilling.

5. Amount of water:

Maximum rate of diversion _____ cfs or 35 gpm.Maximum daily volume 0.03 AF; Total volume 5 AF.

6. Duration of diversion: From
- January 2012
- to
- December 2012
- ,
-
- Day-month Day-month

7. Proposed diverting works
- Portable pump on truck.

8. Who owns the property at the requested point of diversion?
- United States Forest Service

9. Describe the arrangement allowing access to the water
- Approved by Forest Service Officer Mindy Vogel

10. Remarks
- This is a re-submittal for previously approved water permit (expired Dec. 2011)
-
- TP-94-77 and TP-94-93

WATER Intake will be screened to prevent
entrainment or impingement of fish or other aquatic species. Max Mesh: 25 inches
Velocity \leq 5 ft/sec.

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.

12/13/11

Date

Applicant

Received by db\$50.00 fee received by db

Watermaster Comments received _____

Date

12/15/11
NOB8870

Time

Date

Date



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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

12/27/2011

AZTECA GOLD US
1818 W FRANCIS AVE #147
SPOKANE WA 99205

RE: Temporary Permit No. 94-111 AND 94-112

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number 94-111 AND 94-112.

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
Interim Program Manager

Enclosure – copies of both permits
Receipt No. N028870



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN,
Interim Director

FAX TRANSMITTAL COVER SHEET

DATE: 12/15/2011

TO: Mary Terra Berns

FROM: _____

FAX #: 208-769-1418

NOTE: BLANK FORMS ARE AVAILABLE ON THE INTERNET AT:
<http://www.idwr.idaho.gov/RulesStatutesForms/>

DOCUMENT DESCRIPTION:

Temp. Water Appropriation - Azteca Gold USA

TOTAL PAGES SENT: 5 PLUS (+) COVER SHEET

CONTACT:

Keith Franklin
(NAME OF SENDER)

CHARGES: One (1) free copy per request, cover sheet not included. Two (2) or more copies per request are \$0.25 per page with a \$0.50 minimum

PLEASE CONSIDER THIS DOCUMENT AS A BILLING STATEMENT.

THE CHARGE FOR YOUR FAX COPIES IS \$ _____

PLEASE REMIT BY RETURN MAIL TO THE ABOVE ADDRESS.

PHONE NO: (208) 762-2800

FAX NO: (208) 762-2819

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GARY SPACKMAN
Interim Director

December 15, 2011

MARY TERRA BERNIS
IDAHO DEPARTMENT OF FISH & GAME
2885 KATHLEEN AVE.
COEUR D'ALENE, ID 83815

Re: Application For a Temporary Approval of a Water Appropriation

Dear MARY:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding two applications to temporarily appropriate 5.0 acre-feet of water from Beaver Creek and 4.5 acre-feet from Two Mile Creek for exploratory drilling, by Azteca Gold USA. Copies of the applications are attached for your reference.

Would you please submit your comments no later than December 23, 2011? 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 above address, by FAX to 208-762-2819 or by e-mail to 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
Senior Water Resources Agent

Encl/kf

FAXED