

## ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

TP-94-102

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 2.93 AF and a maximum rate of diversion of 0.035 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 12/31/2011.
  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 5 day of July, 2011.

Heather J. Sandberg, For  
For the Director

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**APPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION**  
(5 AF or less)Name of Applicant Hecla Silver Valley, Inc. Phone 208-769-4103  
Address 6500 Mineral Drive, Suite 200; Coeur d'Alene, ID 83815-9408 Email spetroni@hecla-mining.com

1. Source of water Deadman Creek Tributary to South Fork Cd'A River
2. Location of point of diversion NW ¼ NW ¼ Sec. 25 Township 48N, Range 5E B.M.,  
County Shoshone
3. Location of place of use NW ¼ NW ¼ Sec. 25 Township 48N, Range 5E B.M., Site, "M"  
County Shoshone
4. Proposed use of water Exploration Diamond Drilling.

## 5. Amount of water:

Maximum rate of diversion 0.035 cfs or 16 gpm.Maximum daily volume 0.035 AF; Total volume 2.33 AF.

6. Duration of diversion: From 6-10-2011 to 12-31-2011  
Day-month Day-month
7. Proposed diverting works Temp. plastic barrier in stream - pumped to site.
8. Who owns the property at the requested point of diversion? Grouse Peak, LLC.

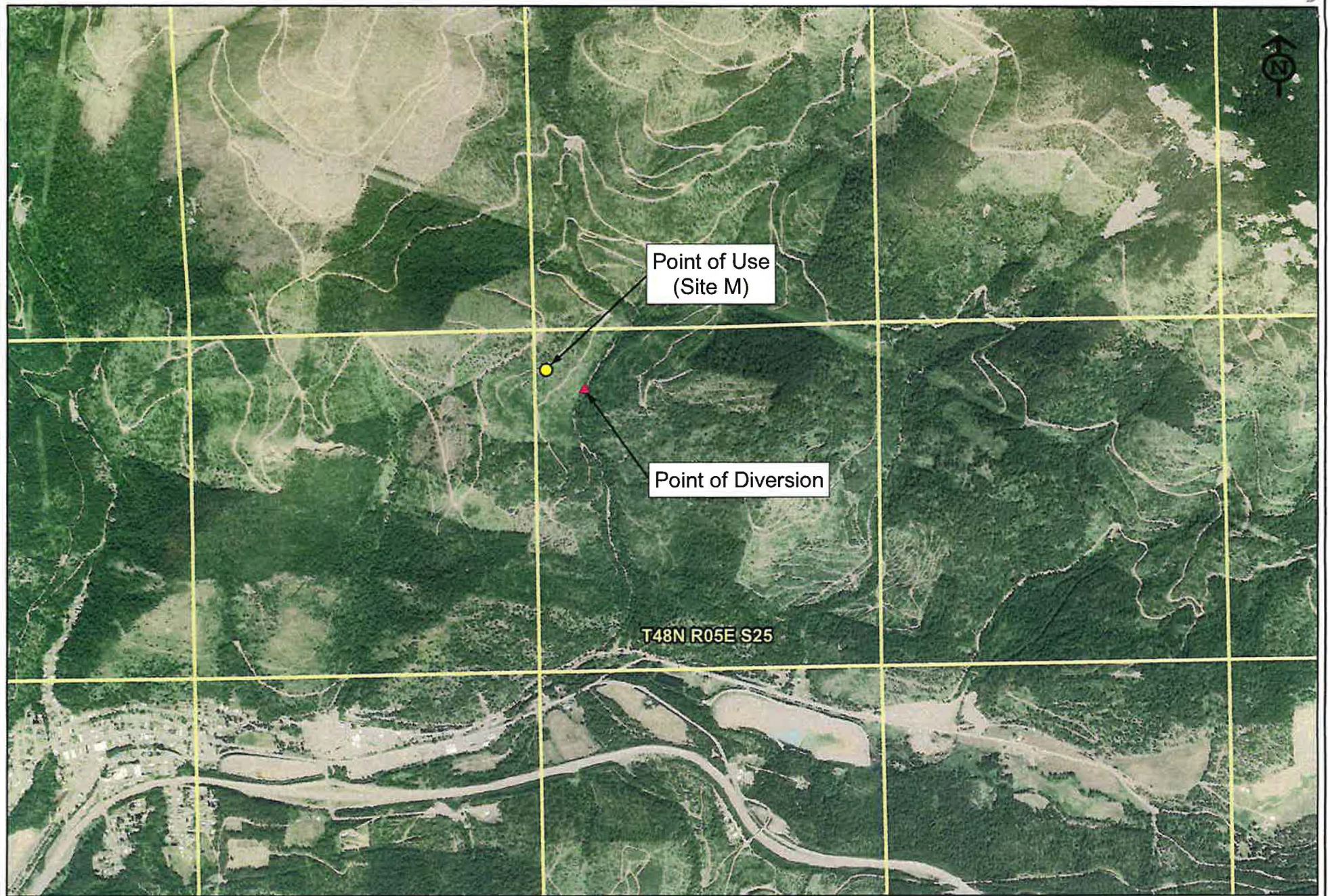
9. Describe the arrangement allowing access to the water Access from private road.

## 10. Remarks

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.

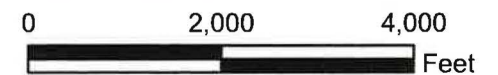
Date 6-10-2011Stephen Petroni  
ApplicantReceived by NMS Date 6-20-11 Time \_\_\_\_\_  
\$50.00 fee receipted by NMS # NB27752 Date 6-20-11  
Watermaster Comments received? \_\_\_\_\_ Date \_\_\_\_\_





6500 N. Mineral Drive, Suite 200  
Coeur d'Alene, ID 83815-9408

**Site M**  
**Water Permit Map**  
T48N R05E Section 25  
Shoshone County, ID



B. Rollins 06-07-2011  
Drill Site\_M.mxd

TP-94-10;





## 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  
Interim Director

07/05/2011

HECLA SILVER VALLEY INC  
6500 MINERAL DRIVE STE 200  
COEUR D ALENE ID 83815-9408

RE: Temporary Permit No. TP-94-101 and TP-94-102

Dear Applicant(s):

Your applications for Temporary approval of Water Appropriation have been granted and assigned numbers TP-94-01 and TP-94-02.

Please be advised that THE PERMITS ARE SUBJECT TO THE EFFECTIVE DATES AND CONDITIONS STATED ON PAGE TWO OF THE APPLICATIONS.

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 Regional Manager

Enclosure      Receipt No. N027752  
Two Temporary Water Appropriation Permits



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN,  
Interim Director

FAX TRANSMITTAL COVER SHEET

DATE: 6-21-11

TO: Mary Terra Bennis

FROM: \_\_\_\_\_

FAX #: 208-769-1418

NOTE: BLANK FORMS ARE AVAILABLE ON THE INTERNET AT:

<http://www.idwr.idaho.gov/RulesStatutesForms/>

DOCUMENT DESCRIPTION:

Applications for Temp. Water Appropriation -  
Hecla Silver Valley, Inc.

TOTAL PAGES SENT: 7 PLUS (+) COVER SHEET

CONTACT: Keith E 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





## 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  
Interim Director

June 21, 2011

MARY TERRA BERNES  
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 2.33 acre-feet each of water from Deadman Creek, which is tributary to South Fork of the Coeur d'Alene River, for exploration drilling by Hecla Silver Valley, Inc. Copies of the applications are attached for your reference.

Would you please submit your comments no later than June 28, 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 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  
Water Resources Agent

Encl/kf

*NO COMMENTS received  
as of 7/5/11. KJ*

**FAXED**