

## 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:

- ☐ 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 4.5 AF and a maximum rate of diversion of 0.02 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 16 day of December 2010.

Robert G. Haynes  
For the Director

RECEIVED  
Form 202a 10/07

DEC 06 2010

Basing

COPY

Ident. No. TP-94-92

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

IDWR / NORTH  
APPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION  
(5 AF or less)

Name of Applicant Azteca Gold US Phone (509) 464-0172

Address 8921 N. Indian Trail Rd., Ste 315, Spokane, WA 99208 Email mcrussell@azteca-au.com

1. Source of water Terror Gulch Tributary to \_\_\_\_\_

2. Location of point of diversion S 1/2 1/4 SW 1/4 Sec. 31 Township 49 N, Range 4 E B.M.  
County Shoshone

3. Location of place of use S 1/2 1/4 SW 1/4 Sec. 31 Township 49 N, Range 4 E 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 0.0306 AF; Total volume 4.5 AF.

6. Duration of diversion: From January 1, 2011 to December 31, 2011  
Day-month Day-month

7. Proposed diverting works Portable pump & hose

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

9. Describe the arrangement allowing access to the water Access will be allowed as part of the approval of the plan of operations for mineral exploration.

10. Remarks This is a re-submittal for previously approved water permit (expired Dec. 2010)

TP-94-78

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.

12/1/10  
Date

[Signature]  
Applicant

Received by [Signature]  
\$30.00 fee receipted by [Signature]  
Watermaster Comments received? \_\_\_\_\_

Date 12/6/10 Time \_\_\_\_\_  
# N026322 Date 12/6/10  
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](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

12/16/2010

COPY

AZTECA GOLD US  
8921 N INDIAN TRAIL RD STE 315  
SPOKANE WA 99208

RE: Temporary Permit No. TP-94-92, TP-94-23 and TP-94-94

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-94-92, TP-94-23 and TP-94-94 .

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

If you have any questions or if this office can be of further assistance, please contact us.

Sincerely,

Robert G. Haynes, P.E.  
Regional Manager

Enclosure – Receipt No. N026322  
Copy of permits (3)





State of Idaho

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Phone: (208) 762-2800 FAX: (208) 762-2819 [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN,  
Interim Director

### FAX TRANSMITTAL COVER SHEET

DATE: 12/6/2010

TO: Mary Terra Berns

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

FAX #: 208-762-4118

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

DOCUMENT DESCRIPTION:

3-Temp. Water Appropriations Azteca Gold U.S.

TOTAL PAGES SENT: 7 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

**FAXED**



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C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

December 6, 2010

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 three (3) applications to temporarily appropriate a total of 14.0 acre-feet of water from Beaver Creek, Terror Creek and Two Mile Creek, all within Shoshone County, for exploration drilling by Azteca Gold U.S. Copies of the applications are attached for your reference.

Would you please submit your comments no later than December 13, 2010? 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 AS OF  
12/16/2010  
KF

**FAXED**