

# ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

TP-94-70

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 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 12/31/09.
  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 vaules.
  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 13 day of January, 2009.

*Robert D. Haynes*

For the Director

JAN 05 2009

Form 202a 10/07

IDWR/North

Indent. No.

TP-94-70

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

1. Source of water Beaver Creek Tributary to \_\_\_\_\_
2. Location of point of diversion SE 1/4 SE 1/4 Sec. 27 Township 49 N, Range 4 E B.M.,  
County Shoshone
3. Location of place of use S 1/2 1/4 Sec. 4 Township 48 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 0.03 AF; Total volume 5 AF.
6. Duration of diversion: From January 1, 2009 to December 31, 2009  
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. 2008 )  
TP-94-55

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

1/5/2009

Applicant

Mark L. Smith

Received by

cm

Date

1-5-09

Time

2:59

\$50.00 fee receipted by

cm

#

2019763

Date

1-5-09

Watermaster Comments received?



State of Idaho

DEPARTMENT OF WATER RESOURCES

7600 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)

NORTHERN REGION

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Interim Director

01/15/2009

MARK C RUSSELL, P.E.  
AZTECA GOLD US  
8921 N INDIAN TRAIL RD, SUITE 315  
SPOKANE WA 99208

RE: Temporary Permit No. TP-94-68, TP-94-69 and TP-94-70

Dear Applicant(s):

Your applications for three Temporary Approval of Water Appropriations have been granted and assigned numbers TP-94-68 TP-94-69 and TP-94-70.

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 – Copies of the permits and receipt No. N019763 for your file.

Note: - Copies faxed to (509)-465-2883



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

DAVID R. TUTHILL, JR.  
Interim Director

FAX TRANSMITTAL COVER SHEET

DATE: 1-5-09

TO: Mary Terra Berns

FROM: Keith

FAX #: 208-769-1418

NOTE: BLANK FORMS ARE AVAILABLE ON THE INTERNET AT:  
[www.idwr.state.id.us/info/forms.htm](http://www.idwr.state.id.us/info/forms.htm)

DOCUMENT DESCRIPTION:

3-Temp. Applications for Azteca Gold  
US.

TOTAL PAGES SENT: 5 PLUS (+) COVER SHEET

CONTACT:

Keith Sandalm  
(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

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PLEASE REMIT BY RETURN MAIL TO THE ABOVE ADDRESS.

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FAXED



## 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

DAVID R. TUTHILL, JR.  
Director

January 5, 2009

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 three applications to temporarily appropriate 14.0 acre-feet of water from various sources within Shoshone County, by Azteca Gold US for exploration drilling. Copies of the applications are attached for your reference. These are renewals from ones that were approved last year.

Would you please submit your comments no later than January 12, 2009? 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

**FAXED**

No Comments Received  
1/13/09  
KD