



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor
GARY SPACKMAN, Interim Director

August 13, 2009

BEAR LAKE MINING CO LLC
5700 GRANITE PARKWAY STE 350
PLANO TX 75024

Re: Temporary Permit No. TP-77-20

Dear Applicant:

Your application for Temporary Approval of Water Appropriation has been granted and assigned number TP-77-20.

Please be advised the permit is subject to the effective dates and conditions stated on page two of the application.

More information about the department is available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Lester". The signature is fluid and cursive.

Steve Lester
Water Rights Supervisor

Enclosure

Copy: W. Jeremy Carr, Clark & Feeney Law Firm

*this info was
not copied to
BLM*

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 5.0 AF and a maximum rate of diversion of 0.22 cfs. ^(100 gpm)
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 MAY 1, 2010.
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: USE UNDER THIS APPROVAL MAY BE SUBJECT TO BLM REQUIREMENTS BEYOND THE JURISDICTION OF IDWR. A SINGLE POINT OF DIVERSION FROM BEAR LAKE IS AUTHORIZED IN ANY OF THE SECTION TRACTS IDENTIFIED ABOVE.

DATED this 13th day of August, 20 09.


For the Director

Acting for JOHN WESTRA,
Western Regional Manager

SEE ATTACHED MAP.

Temporary Right TP-77-20

