



ALASKA DEPARTMENT OF NATURAL RESOURCES

Division of Mining, Land, and Water

Water Resources Section

3700 Airport Way, Fairbanks, Alaska 99709

PERMIT TO APPROPRIATE WATER LAS 30121

The State of Alaska, acting by and through the Department of Natural Resources, Division of Mining, Land and Water, 3700 Airport Way, Fairbanks, Alaska 99709-4699, hereinafter referred to as the grantor, under AS 46.15, the Alaska Water Use Act, and the regulations adopted under it, grants to:

Hecla Greens Creek Mining Company
P.O. Box 32199
Juneau, Alaska 99801

The right to develop the following use of water:

SOURCE: Diversion Ditch
QUANTITY: 84.01 Acre Feet per Year (not to exceed 13 Cubic-Feet per Second)
PERIOD: January 1st through December 31st
USE: Mining and Milling

With a PRIORITY DATE of February 20, 2015

The location of this water source:

Clean surface water runoff (originating from precipitation/snowmelt on the undisturbed up gradient watershed region east of the eastern mine site boundary in Section 26, T43S, R65E, C.R.M.) intercepted by collection and diversion ditch system (with variable width and depth and approximately 2,000 feet in length) located (east of the Tailings Disposal Facility and constructed near the eastern mine site boundary) within certified Plat No. 2014-34 dated August 18, 2014, Juneau Recording District, and that portion of the Southwest one-quarter of the Northwest one-quarter (SW1/4NW1/4) of Section 26, Township 43 South, Range 65 East, Copper River Meridian.

The location to which this water right is appurtenant:

PERMIT TO APPROPRIATE WATER
LAS 30121

Plat No. 2014-34 dated August 18, 2014 filed in the Juneau Recording District, First Judicial District, State of Alaska, subject to reservations and exceptions of record. Said plat located within Sections 22, 23, 26 and 27, Township 43 South, Range 65 East, Copper River Meridian.

Changes in the natural state of water are to be made in the manner and only for the purposes stated in this permit. This permit is subject to the pertinent statutory provisions in AS 46.15, Administrative Regulations in 11 AAC 93, and the following conditions:

The holder of this permit shall comply with the following conditions:

1. Follow acceptable engineering standards in exercising the right granted by this permit.
2. Except for claims or losses arising from negligence of the State, defend and indemnify the State, the State's agents, and the State's employees against and hold each of them harmless from any and all claims, demands, legal actions, loss, liability, and expense, including attorney fees, for injury to or death of persons and damages to or loss of property arising out of or connected with the exercise of the right granted by this permit.
3. Comply with all applicable laws, regulations, and conditions.
4. Notify the grantor of any change of address, transfer of any real property identified in this permit, or proposed change in the water appropriation.
5. If the grantor determines that this appropriation unduly affects a prior appropriator's ability to obtain water in accordance with his or her permit or certificate, this appropriation may be amended or water use may be curtailed until the prior appropriator can again obtain water under his or her prior right. Those individuals within the same area that do not have water rights may also be required to curtail taking water.
6. Submit "as-built" signed and sealed engineered schematics of the constructed diversion ditch for the file-of-record to the ADNR Water Resources Section at dnr.water.reports@alaska.gov and to ADNR Water Resources Section, 3700 Airport Way, Fairbanks, Alaska 99709 within 6 months of completion (a copy should also be provided to ADNR Water Resources Section, Attn: Dam Safety & Construction at the mailing address provided in this condition number 6).
7. Install a weir, or other ADNR Water Resources Section approved discharge monitoring device, to quantify water discharge near the terminus of the diversion ditch.
8. The monthly average discharge and the maximum monthly discharge value that are recorded on the approved discharge monitoring device shall be reported on the Alaska Water Use Data System (AKWUDS) form and submitted to ADNR Water Resources Section, 3700 Airport Way, Fairbanks, Alaska 99709 and via email to dnr.water.reports@alaska.gov on a quarterly basis.

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LAS 30121

9. Notify the ADNR Water Resources Section prior to any significant alterations to the proposed scope of work as described in the Application for Water Right received by our office February 20, 2015.
10. Allow grantor's authorized representatives to inspect, at reasonable times, any facilities, equipment, practices, or operations regulated or required under this permit.
11. This authorization is subject to an annual administrative service fee pursuant to 11 AAC 05.010 (a)(8)(M).

This permit shall EXPIRE on: **September 16, 2025.**

This Permit to Appropriate Water is issued by authority of AS 46.15.080 and 11 AAC 93.120 on:

med/wk
Approved

September 17, 2015
Date

Natural Resource Manager II
Title