



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 33146

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:

Teck Alaska Incorporated
Red Dog Mine Operations
2525 C Street, Suite 310
Anchorage, Alaska 99503

The right to develop the following use of water:

SOURCE: Gravel Pit Pond in Material Site-9 (MS-9)
QUANTITY: 180 Acre-feet per year
PERIOD: January 1 through December 31
USE: Withdrawal for Dust Control and Maintenance

With a PRIORITY DATE of January 30, 2020.

The location of this water source:

A gravel pit pond at MS-9 located within the west one-half (W1/2) Section 27 and the east one-half of the east one-half (E1/2E1/2) Section 28, Township 29 North, Range 20 West, Kateel River Meridian.

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The location to which this appropriation is appurtenant:

Located within the approved Delong Mountain Road Transportation System (DMRTS) corridor within Sections 1, 2, 11, 14, 22, 23, 27, 28, 33, and 34, Township 30 North, Range 19 West; Sections 20, 29, 30, and 31, Township 31 North, Range 18 West; Section 6, Township 30 North, Range 18 West; Section 36, Township 31 North, Range 19 West; Sections 4-7, Township 29 North, Range 19 West; Sections 12-15, 21, 22, 27-29, and 32, Township 29 North, Range 20 West; Sections 1, 11, 12, 14, 15, 21, 22, 27, 28, 29, 31, and 32, Township 28 North, Range 21 West; Section 36, Township 28 North, Range 22 West; Sections 1-3, 10, 14, 15, 16, 21, 28, 32, and 33, Township 27 North, Range 22 West; Sections 5-8, Township 26 North, Range 22 West; Sections 12, 13, 21-24, 28, 29, 31, and 32, Township 26 North, Range 23 West; Section 6, Township 25 North, Range 23 West; Sections 1-3, 10, and 11, Township 25 North, Range 24 West; all within the Kateel 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, with which the holder of this Permit shall comply:

1. This permit does not authorize the permittee to enter upon any lands until proper rights-of-way, easements, or permission documents from the appropriate landowner have been obtained.
2. Follow acceptable engineering standards in exercising the right granted by this permit.
3. Permit holder is responsible for obtaining, maintaining, and complying with all other approvals and authorizations (federal, state or local) that may be required, including but not limited to complying with the regulations and requirements of the Alaska Dam Safety Program.
4. Comply with all applicable laws, regulations, and conditions.
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. 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.
7. Notify the grantor of any change of address, transfer of any real property identified in this permit, or proposed change in the water appropriation.
8. Allow grantor's authorized representatives to inspect, at reasonable times, any facilities, equipment, practices, or operations regulated or required under this permit.

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9. Submit monthly water use records on an annual basis to the Water Resources Section. All water use records shall be reported on the Alaska Water Use Data System (AKWUDS) online at <http://dnr.alaska.gov/akwuds/> and/or via email to dnr.water.reports@alaska.gov.
10. Per 11 AAC 05.260(e), an annual administrative service fee shall be assessed on this permit.

This permit shall EXPIRE on: **July 21, 2032.**

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

Henry C. Brooks

Approved

July 26, 2022

Date

Henry Brooks, Natural Resource Manager II
Name/Title