## ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

P-82-26

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 1,98 AF and a maximum rate of diversion of D.033 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 November 30, 3018

- 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.
- 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.
- Contact the DEPARTMENT OF WATER RESOURCES prior to diversion of water from streams.

day of March DATED this Jun uldin, For the Director

Form 202a 10/07

Basin 82

Indent. No. 7P-82-26

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

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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

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

03/15/2012

TIM HOSKINS 124 N PATIT RD DAYTON WA 99328

RE: Temporary Permit No. TP-82-26

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-82-26.

Please be advised that THE PERMIT IS SUBJECT TO THE EFFECTIVE DATES AND CONDITIONS STATED ON PAGE TWO OF THE APPLICATION.

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

Sincerely,

Keith E. Franklin Interim Program Manager

Enclosure Copy of Permit TP-82-26



STATE OF IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY RECEIVED MAR 09 2012 IDWR/NORTH

1118 F Street • Lewiston, Idaho 83501 • (208) 799-4370

C.L. "Butch" Otter, Governor Toni Hardesty, Director

March 7, 2012

Mr. Keith Franklin Idaho Department of Water Resources 7600 North Mineral Drive Coeur d'Alene, ID 83815

Subject: Comments, temporary water appropriation from Newsome Creek for mining; Tim Hoskins

Dear Mr. Franklin:

We received a copy of the application to the Idaho Department of Water Resources for a temporary water appropriation permit to withdraw 1.98 acre feet (AF) of water from Newsome Creek, Idaho County. The water will be withdrawn from June 1 to November 30 for a placer mining operation. Assuming all federal, state and local permits have been obtained, regulations met, and reviews completed, we offer the following comments.

In the Idaho Water Quality Standards, Newsome Creek is included in waterbody ID 17060305CL062 and is protected for cold water aquatic life and secondary contact recreation presumed beneficial uses. This waterbody ID is listed in section 4a of the Idaho 2010 Integrated Report and has a Total Maximum Daily Load allocation for temperature pollutants.

DEQ agrees that the temporary withdrawal of approximately 15 gallons per minute or 0.022 maximum daily volume AF of water from Newsome Creek should not impact water quality. In order to protect and maintain aquatic life beneficial uses, stream flow adequate to sustain existing aquatic life needs to be maintained. No waste water will be deposited back into Newsome Creek.

Thank you for the opportunity to comment on your application. If you have any questions regarding the Idaho Water Quality Standards, please call the Lewiston Regional Office at (208) 799-4370.

Sincerely,

sauct

Cindy Barrett Water Quality Analyst

c: Tim Hoskins, Dayton, WA Ray Hennekey, IDFG John Cardwell, DEQ



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

February 29, 2012

KERBY COLE, P.E. IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY 1118 F ST. LEWISTON, ID 83501

Re: Application For a Temporary Approval of a Water Appropriation

Dear Mr. Cole:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding an application to temporarily appropriate 1.98 acre-feet of water from Newsome Creek for high bank mining purposes by Tom Hoskins. This is a renewal of a permit that was issued in 2011. A copy of the application is attached for your reference.

Would you please submit your comments no later than March 8, 2012? 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.

If you have any questions, don't hesitate to contact me at this office.

Thank you.

jette L. Scareblen Sincerely,

Keith E. Franklin Water Resources Agent

Encl/kf





## **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

> > GARY SPACKMAN. Interim Director

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FAX #:	308-799-3451

State of Idaho

FROM:

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

February 29, 2012

RAY HENNEKEY IDAHO DEPARTMENT OF FISH & GAME 3316 16<sup>TH</sup> ST. LEWISTON, ID 83501

Re: Application For a Temporary Approval of a Water Appropriation

Dear RAY:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding an application to temporarily appropriate 1.98 acre-feet of water from Newsome Creek for high bank mining purposes by Tim Hoskins. This is a renewal of a permit that was issued in 2011. A copy of the application is attached for your reference.

Would you please submit your comments no later than March 8, 2012? 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.

If you have any questions, don't hesitate to contact me at this office.

Thank you.

Sincerely,

eith

Keith E. Franklin Water Resources Agent

Encl/kf





	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				
			GARY SPACKMAN. Interim Director				
FAX TRANSMITTAL COVER SHEET							
TO: RA	-39-12 Y Hennek 8-799-50	ey_ FROM:					
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