

NOV 18 2020

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ID No. TP-55-15

APPLICATION FOR TEMPORARY APPROVAL OF WATER USE

For a use not intended to become an established water right and not to exceed one (1) year in duration in accordance with [Idaho Code § 42-202A](#).

Name of applicant DeLamar Mining Company, Attn: Robert Mullener, Permitting Mgr Phone (208) 559-7787
Mailing address PO Box 52 City Jordan Valley
State Oregon Zip 97910 Email robertm@integradelamar.com

1. Source of water Jordan Creek tributary to Owyhee River

2. Location of point(s) of diversion. If more than two, attach a [Point of Diversion/Place of Use Supplement](#). ☐

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #
4S	4W	26			SE	SE	Owyhee	Jordan Creek	<u>Blue Gulch - cy</u>

3. Location of place of use. If more rows are needed, attach a [Point of Diversion/Place of Use Supplement](#). ☐

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4S	4W	26																X	

4. Proposed use of water:

- a. ☐ Prevention of flood damage ☐ Ground water recharge ☐ Ground water or surface water remediation
☒ Other (Limited to a diverted volume of 5 acre-feet.) Describe: industrial (mineral exploration drilling, dust control)

b. Attach a detailed description of how the proposal will accomplish the intended objective, such as prevention of flood damage.

5. Amount of water. Complete all three:

- a. Maximum rate of diversion: 0.5 cfs; or 225 gpm.
b. Maximum daily volume: 15,000 AF; or 15,000 gallons.
c. Maximum volume over the duration of the request: 2.0 AF; or 15,000 gallons.

6. Duration of diversion: from November 15, 2020 (month-day) to November 14, 2021 (month-day).

7. Describe proposed diverting works: portable pump with suction pipe diverting to water trucks

8. a. Who owns the property at the requested point of diversion? United States - DOI Bureau of Land Management
b. Who owns the facilities that will convey water to the place of use? DeLamar Mining Company
c. Who owns the land to be irrigated or place of use? State of Idaho, United States, private land
d. If any of the items above is owned by a person or entity other than the applicant, describe the arrangement allowing access and attach written evidence of the arrangement. See attached

9. Attach an 8 1/2" x 11" map identifying the water source, point(s) of diversion, place(s) of use and conveyance system.

I hereby acknowledge that I assume all risk of the diversion and use of the water under this approval. I certify this is a temporary use and is not intended to become an established water right.

[Signature] Permitting Manager 11/12/2020
Signature of Applicant Title, if any Date

Received by LE Date 11/18/2020 Time 10:15 Am
\$50.00 fee receipted by LE # W048887 Date 11/18/2020
Watermaster comments received? NA Date

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources ("Department") has examined this application for temporary approval to use water under the provisions of Idaho Code § 42-202A and has determined that:

☐ A. The application for temporary approval should be denied because _____

☒ 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.
5. If the temporary approval is within a water district, the Department has sought and considered the recommendations of the watermaster.

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 of the use of the water under this approval.
3. This approval authorizes a maximum diversion volume of 2.0 AF and a maximum diversion rate of 0.5 cfs.
4. This approval does not grant a right-of-way across the land of another.
5. The Department may cancel or reduce the rate of flow or volume authorized by this approval. For example, the Department may cancel or reduce this approval if it concludes the water use is injuring other water rights or adversely affecting fish, wildlife or other public values.
6. The applicant shall not divert water when downstream minimum flow water rights are not being satisfied.
7. This approval does not create a continuing right to use water.
8. A temporary approval for ground water recharge or prevention of flood damage shall be an opportunistic use of surplus water and shall not interfere with the filling of surface water reservoirs.
9. For a temporary approval authorizing ground water recharge or ground water or surface water remediation, the applicant shall measure and record the weekly quantity of water diverted and report the diversion data to the Department upon request.
10. This temporary approval is not an authorization for the described water use to be used as mitigation or credit for any other purpose.
11. Other: _____

12. This approval expires on November 14, 2021.

Signed this 18th day of November, 2020.



For the Department

Description of Proposed Temporary Water Use – Delamar Mining Company

DeLamar Mining Company proposes use of water from Jordan Creek diverted in the SESE Section 26, T4S, R4W, Owyhee County. The point of diversion is located on BLM land within a mining claim (Blue Gulch, Serial Number IMC50577) currently held by DeLamar Mining Company.

The proposed use of water will consist of filling water trucks and tanks. The water will then be used for drilling water, dust control, and other mineral exploration uses at various locations in the area, on state, federal, and private lands controlled by DeLamar Mining Company under patents, claims, and leases.

Typical demand will be 10,000 gpd or less. A maximum day demand of 15,000 gpd is proposed. Proposed diversion rate is 0.5 cfs (225 gpm). Total use is estimated to be 2 acre feet or less, based on 5,000 gpd for 180 days. A one-year duration of use is proposed. Use will be intermittent.

Temporary Use Application Map – DeLamar Mining Company



Water will be diverted into water trucks at the point of diversion

PLACER MINING LOCATION NOTICE

NOTICE IS HEREBY GIVEN, That the undersigned locators S and claimants S have discovered a placer deposit of minerals or other valuable deposits, and that the same is hereby located and claimed under the provisions of the laws of the United States and the State of Idaho;

Name of locator or locators: RUSS BERGES

BOX 188 GRANDVIEW IDA 83624

PH 834-2246

That the name of this claim is ~~BLUE GULCH~~ BLUE GULCH
placer mining claim and is situate in the SILVER CITY
Mining District, County of OWYHEE, State of Idaho,
and covers the area particularly described as follows, to-wit:

The corner monument upon which this notice is posted is situated about foot in a
AT T4S, R4W, ~~SEC 26~~, SEC 26, S.E. BOUNDARY CORNER
direction from
THIS CLAIM CORSET OF T4S, R4W, SEC 26, SE QUARTER OF
THE 24 QUARTER.

The adjoining claims are DIG DANCES ON SOUTH

Each corner monument is marked with the name of the claim and the corner which each said monument represents, and the direction of the boundary lines extending therefrom, and all of said monuments are at least four inches in diameter and at least four feet high above ground.

Such mining claim was located on the 15 day of APRIL, 1980.

RUSSELL B. BERGES
THELMA A. BERGES
VINCENT S. BERGES

Locators and
Claimants

STATE OF IDAHO,

County of OLYMPIA

ss.

I, RUSSELL B. BARBES

do solemnly swear that I am a citizen of the United States of America (or have declared my intention to become such) and that I am acquainted with the mining ground described in this notice of location and herewith called the Blue Gulch placer claim; that the ground and claim therein described or any part thereof has not, to the best of my knowledge and belief, been previously located according to the laws of the United States and of this State, or if so located, that the same has been abandoned or forfeited by reason of the failure of such former locators to comply in respect thereto with the requirements of said laws.

Subscribed and sworn to before me this 1st day of May, A. D. 19 80

B. J. Jago
June Jago Deputy

163585

No.

Placer Mining Location

Notice

Claim

District

STATE OF IDAHO,

ss.

County of OLYMPIA

I hereby certify that this instrument was filed for record at the request of

Russell Barbès et al

at 55 minutes past 10:00

o'clock A. M. this 1st day

of May, A. D. 19 80,

in my office and duly recorded in Book

of Microfilm Mining Claims, at page

Barbara Jago

Ex-Officio Recorder.

County, Idaho.

By June Jago Deputy.

Fees \$ 2.50

STATE RECORDS DEPARTMENT, BOISE



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

November 19, 2020

DELAMAR MINING CO
PO BOX 52
JORDAN VALLEY OR 97910-0052

RE: Application for Temporary Approval of Water Use: TP-55-15

Dear Applicant(s):

Your application for temporary water appropriation has been approved and is enclosed. The approval authorizes the temporary use of water and does not grant trespass or other activity on public land or on private property.

Please review the **conditions of approval on page 2 of the Application for Temporary Approval form** to understand the limitations associated with the temporary use of water.

This temporary approval **expires on November 14, 2021**. The expiration date cannot be extended under this temporary approval.

If you have any questions, please feel free to contact this office at (208) 334-2190 and any of our agents will be able to assist you.

Sincerely,

Chad Jones
Technical Records Specialist I

Enclosures

Cc: SPF Water Engineering

NOV 18 2020

WATER RESOURCES
WESTERN REGION

November 12, 2020

Patrick Kelly
Water Rights Supervisor
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: Application for Temporary Approval of Water Use

Dear Patrick,

On behalf of Delamar Mining Company, enclosed please find an Application for Temporary Approval of Water Use. The application seeks 0.5 cfs, not to exceed 15,000 gpd or 2 af total, of water from Jordan Creek approximately 2.6 miles northwest of Silver City. A check for the \$50 filing fee is included.

Please contact me with any questions.

Sincerely,

Terry M. Scanlan

Terry M. Scanlan, P.E., P.G.

Enclosure: Temporary Use Application and Filing Fee

Cc: Rob Mullener – Delamar Mining Company