

## ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

TP-82-22

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 1.0 AF and a maximum rate of diversion of 0.01 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 11/30/2010.
  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: 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.
  10. Contact the DEPARTMENT OF WATER RESOURCES prior to diversion of water from streams.

DATED this 22 day of June

2010  
*Robert G. Haynes*

For the Director

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION**  
(5 AF or less)

Name of Applicant Ronald Schumacher Phone 208-983-0472  
Address 623 Rollingdale Rd Annapolis, MD 21401 Email Ronald\_Schumacher@hotmail.com  
1. Source of water Tippi Creek Tributary to Newsome Creek  
2. Location of point of diversion SE 1/4 NE 1/4 Sec. 18 Township 29N, Range 7E B.M.,  
County Idaho  
3. Location of place of use SE 1/4 NE 1/4 Sec. 18 Township 29N, Range 7E B.M.,  
County Idaho  
4. Proposed use of water mining. Water to be recycled.

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5. Amount of water:  
Maximum rate of diversion 0.01 cfs or 1 (one) gpm.  
Maximum daily volume 1.003 AF; Total volume 1 AF.  
6. Duration of diversion: From May 15 to Nov 30  
Day-month Day-month  
7. Proposed diverting works 3/4" ABS pipe, gravity feed  
8. Who owns the property at the requested point of diversion? Nez Perce National Forest  
9. Describe the arrangement allowing access to the water FS Rd # 440  
10. Remarks

I hereby acknowledge that I assume all risk if the diversion and use of the water under this approval injures other water rights. I certify this is a temporary use and that I am not seeking a continuing right to use water.

April 3, 2010  
Date

Piero Thomas for Ron Schumacher  
Applicant

Received by db Date 4/6/10 Time 4/6/10  
\$50.00 fee received by db # N024010 Date 4/6/10  
Watermaster Comments received? \_\_\_\_\_ Date \_\_\_\_\_



**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](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

06/23/2010

RONALD SCHUMACHER  
623 ROLLINGDALE RD  
ANNAPOLIS MD 21401

RE: Temporary Permit No. TP-82-22

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-82-22.

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,

Robert G. Haynes, P.E.  
Regional Manager

Enclosure    Receipt N024010  
                  Copy of Temporary Permit TP-82-22



STATE OF IDAHO  
DEPARTMENT OF  
ENVIRONMENTAL QUALITY

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

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

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IDWR/North

April 8, 2010

Mr. Keith Franklin  
Idaho Department of Water Resources  
7600 North Mineral Drive, Suite 100  
Coeur d'Alene, Idaho 83815

RE: Comments, temporary water appropriation from Tipi Creek for mining

Dear Mr. Franklin,

We received a request for comment on an application for a temporary water appropriation permit to withdraw 1.0 gallon per minute, maximum daily volume 0.003 acre feet from May 15<sup>th</sup> through Nov. 30<sup>th</sup> from Tipi Creek, Idaho County, for mining with a ¾ ABS pipe through gravity feed. 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, Tipi 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 2008 Integrated Report and has a Total Maximum Daily Load allocation for temperature pollutants.

Flow data for Tipi Creek is not included with the request for comment; therefore, DEQ cannot determine if removal of 1.0 gpm will impact existing aquatic life beneficial uses in Tipi Creek. In order to protect and maintain aquatic life beneficial uses, stream flow adequate to sustain existing aquatic life needs to be maintained (IDAPA 58.01.02.100.01). We recommend that stream flow be maintained at a level suitable to protect and maintain aquatic life during the withdrawal and at no time should the stream be allowed to go dry as a result of legally appropriated and allowable water withdrawals. No waste water will be deposited back into Tipi Creek.

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

Sincerely,

A handwritten signature in black ink, reading "Gwen P. Fransen", is positioned above the typed name.

Gwen P. Fransen  
Regional Administrator, Lewiston

CC: Press Thomas, Grangeville, Idaho  
Ronald Schumacher, Annapolis, Maryland  
Ray Hennekey, IDFG

Keith E. Franklin  
IDWR, Northern Region  
7600 North Mineral Drive, Suite 100  
Coeur d'Alene, ID 83815

Dear Mr. Franklin,

I am applying for a temporary water permit for Tippi Creek this year. It is identical to the one from last year. I am sending the front page of the application to Kerby Cole of DEQ and Dave Cadwallader of Fish and Game who signed off on it last year. I am requesting them to send a letter to you again this year.

Sincerely,

*Press Thomas*

Press Thomas for Ron Schumacher

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P.O. Box 114  
Grangeville, Id 83501

*Receipt #* NO 24010





