

TP-94-53

Received by db Date 8/13/07 Time 11:17a  
\$50.00 fee received by db # N018632 Date 8/13/07  
Watermaster Comments received? \_\_\_\_\_ Date \_\_\_\_\_

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

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 0.02 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 12/31/07.
  - 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 27 day of August, 2007.

Robert G Haynes  
For the Director

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION

(5 AF of less)

Name of Applicant New Jersey Mining Co Phone 783-3331Address PO Box 1019 Kellogg, ID 838371. Source of water See attach Tributary to Prichard Cr.2. Location of point of diversion See Attached  $\frac{1}{4}$   $\frac{1}{4}$  Sec. Township 50N, Range 5E B.M.,  
County Shoshone3. Location of place of use see Attached  $\frac{1}{4}$   $\frac{1}{4}$  Sec. Township 50N, Range 5E B.M.,  
County Shoshone4. Proposed use of water Exploration core drilling

## 5. Amount of water:

Maximum rate of diversion \_\_\_\_\_ cfs or 7 gpm.Maximum daily volume 0.01 AF; Total volume 1.0 AF. 12/31/076. Duration of diversion: From Sept 2007 to Sept 2008  
Day-month Day-month7. Proposed diverting works Portable pump with screened intake8. Who owns the property at the requested point of diversion? National Forest9. Describe the arrangement allowing access to the water USFS Plan of Operations

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.

10 Aug 07  
Date

Fred W. Brachel President  
Applicant

RECEIVED  
AUG 13 2007  
IDWR/North  
AUG 17 2007  
IDWR/North  
RECEIVED

Additional Details for New Jersey Mining Co.  
Application for Temporary Water Appropriation

Item #1 Sources of Water

- Site A North Fork of Butte Gulch
- Site B North Fork of Toboggan Creek
- Site C Niagara Creek
- Site D West Fork of Eagle Creek

Item #2 Points of Diversion

- Site A NE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  Sec 20 T50N R6E B.M.
- Site B NE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  Sec 23 T50N R5E B.M.
- Site C SE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  Sec 21 T50N R5E B.M.
- Site D NW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  Sec 18 T50N R5E B.M.

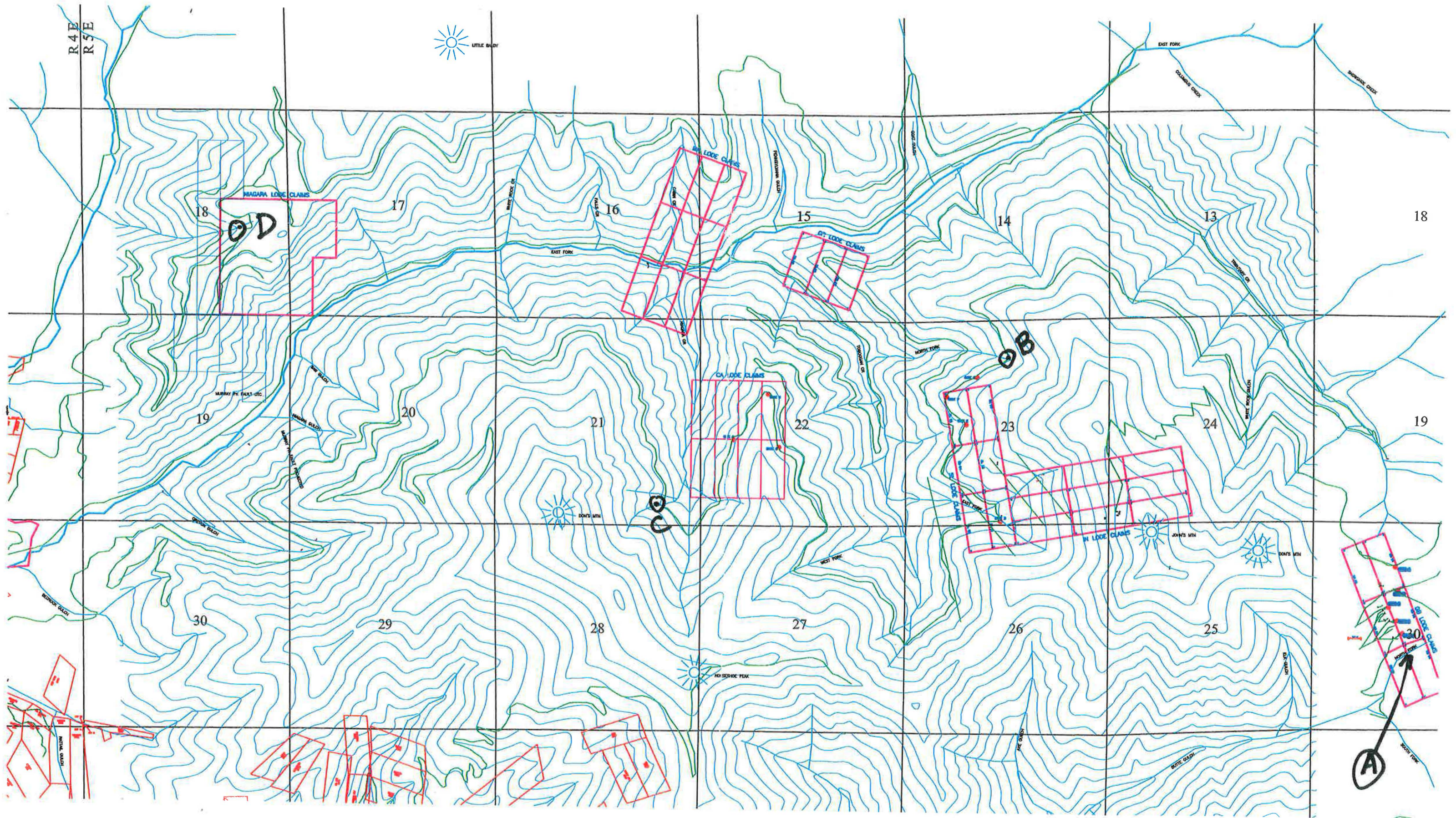
Item #2 Place of Use

- Site A SE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  Sec 20 T50N R6E B.M.
- Site B SE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  Sec 23 T50N R5E B.M.
- Site C SE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  Sec 22 T50N R5E B.M.
- Site D NE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  Sec 18 T50N R5E B.M.



T50N

R4E  
R5E







## 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

DAVID R. TUTHILL, JR.  
Director

08/27/2007

NEW JERSEY MINING CO  
PO BOX 1019  
KELLOGG ID 83837

RE: Temporary Permit No. TP-94-53

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-94-53.

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



## 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

DAVID R. TUTHILL, JR.  
Director

August 17, 2007

MARY TERRA BERNS  
IDAHO DEPARTMENT OF FISH & GAME  
2885 KATHLEEN AVE.  
COEUR D' ALENE, ID 83815

Re: Application For a Temporary Approval of a Water Appropriation

Dear MARY:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding an application by New Jersey Mining Company, to temporarily appropriate 1 acre-feet of water from various sources within Shoshone County, for exploration core drilling. A copy of the application is attached for your reference.

Would you please submit your comments no later than August 24, 2007?

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](mailto:keith.franklin@idwr.idaho.gov).

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

Thank you.

Sincerely,

Keith E. Franklin  
Water Resources Agent

Encl/kf

**FAXED**

No Comments Received  
8/27/07  
HJ



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

DAVID R. TUTHILL, JR.  
Interim Director

FAX TRANSMITTAL COVER SHEET

DATE: 8/17/07

TO: Mary Terra Berns

FROM: IDWR

FAX #: 208-769-1418

NOTE: BLANK FORMS ARE AVAILABLE ON THE INTERNET AT:  
[www.idwr.state.id.us/info/forms.htm](http://www.idwr.state.id.us/info/forms.htm)

DOCUMENT DESCRIPTION:

Application For Temporary Water Appropriation

TOTAL PAGES SENT: 1 PLUS (+) COVER SHEET

CONTACT: Keith Franklin  
(NAME OF SENDER)

CHARGES: One (1) free copy per request, cover sheet not included. Two (2) or more copies per request are \$0.25 per page with a \$0.50 minimum

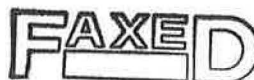
PLEASE CONSIDER THIS DOCUMENT AS A BILLING STATEMENT.

THE CHARGE FOR YOUR FAX COPIES IS \$

PLEASE REMIT BY RETURN MAIL TO THE ABOVE ADDRESS.

PHONE NO: (208) 762-2800

FAX NO: (208) 762-2819





## 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

DAVID R. TUTHILL, JR.  
Director

August 13, 2007

New Jersey Mining Co.  
PO Box 1019  
Kellogg, Idaho 83837

Re: Application For Temporary Water Appropriation

Gentlemen:

The Idaho Department of Water Resources is returning your recently submitted application for additional information.

**Item #1 Source of Water**

Please list the sources and to what stream they are tributary. You may attach a separate page listing each source.

**Item # 2 Points of Diversion**

Please list the quarter quarter, Section, Township and Range for each point of diversion. This can be on a separate page.

**Item #3 Place of Use**

Please list, as close as possible, the quarter quarter of each Section, Township and Range of where the water will be used.

Once the department receives this information, processing of your application can continue. If you have any questions, feel free to contact me at this office.

Sincerely,

Keith E. Franklin  
Senior Water Resources Agent

Enclosure

**COPY**