



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

MAR 28 2016

DEPARTMENT OF
WATER RESOURCES

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 21, 2016

GREG NICKEL
759 E ROUND UP CIRCLE
HAYDEN ID 83835

RE: Temporary Permit No. TP-94-164

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-94-164.

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

The Idaho Department of Fish & Game (IDFG) now requires a Special Use Permit if their property is to be used for a point of diversion.

To contact IDFG in Coeur d'Alene, call 208-769-1414; and in Lewiston, call 208-799-5010.

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

Sincerely,

A handwritten signature in blue ink that reads "Morgan Case". The signature is written in a cursive, flowing style.

Morgan Case
Northern Regional Manager

Enclosure Copy of TP-94-164

RECEIVED

MAR 14 2016

Basin 94

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ID No.

TP 849 E 16 D

MAR 28 2016

DEPARTMENT OF
WATER RESOURCES

IDWR//NORTH

APPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION

(For a use not intended to become an established water right, not to exceed a total diverted volume of five (5) acre-feet, and not to exceed one (1) year duration in accordance with Section 42-202A, Idaho Code.)

Name of applicant: Greg Nickel Phone: 208-512-4485
 Mailing address: 759 E. Round Up Circle City: Hayden
 State Idaho ZIP 83835 Email: gnickel@ssmines.com

1. Source of water: Groundwater tributary to Pritchard Creek
 2. Location of point(s) of diversion:

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #
49N	04E	2		NE	NE	NE	Shoshone	Groundwater	Pritchard Creek

3. Location of place of use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
49N	04E	2						30											30

4. Describe proposed use of water Idaho Department of Lands Dredge/Placer Permit. Make-up water for a settling pond system to support a small recreational placer wash plant. Water is from a groundwater spring which is mobilized down gradient by means of a historic trench- french drain. The french drain supplies a historical shaft, now sump.
5. Amount of water:
 Maximum rate of diversion 0.44 cfs or 200 gpm.
 Maximum daily volume 0.037 AF; total volume 4.42 AF.
6. Duration of diversion: from 1 May (day-month) to 30 September (day-month).
7. Describe proposed diverting works: French drain to local small sump, 3-inch, 5 hp pump (200 gpm) and pipe
8. a. Who owns the property at the requested point of diversion? Greg Nickel (J-J Farms LLC)
 b. Who owns the land to be irrigated or place of use? Greg Nickel (J-J Farms LLC)
 c. If the property is owned by a person other than the applicant, describe the arrangement allowing access to the water:
N/A
9. Additional remarks: Wash plant water is recirculated via settling pond system. Water resource is to be utilized for make up water for fresh water losses. Pump will be run 1 hour per day. Water POD and POU within private land MS 1850-MS 1728. No identified water rights users with 1.0 mile. Available for forest service fire water source?

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.

Signature of applicant

Date

Received by

Date

Time

\$50.00 fee receipted by

#

Date

Watermaster comments received?

Date

TP-94-164

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 4.42 AF and a maximum rate of diversion of 0.44 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 does not create a continuing right to use water.
 7. 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.
 8. 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.
 9. The Idaho Department of Fish & Game (IDFG) now requires a Special Use Permit if their property is to be used for a point of diversion. IDFG contact in Coeur d'Alene - 208-769-1414, and in Lewiston - 208-799-5010.
 10. All equipment involved with transporting water shall be treated sterilized prior to use to avoid spread of invasive aquatic species and may require inspection. Contact the Idaho State Department of Agriculture (www.agri.idaho.gov) for specific recommendations at 208-332-8500 or by e-mail to info@agri.idaho.gov.
 11. Direct discharge of waste water slurry into rivers, creeks, or streams is not authorized.
 12. This approval expires on 9/30, 20 16.

Signed this 21 day of March, 20 16.



Manager, Northern Region
For the Director

Frederick, Adam

From: Frederick, Adam
Sent: Monday, March 14, 2016 12:02 PM
To: 'Siitari,Kiira'
Subject: Temporary Water Appropriation
Attachments: Temporary Nickel IDFG.pdf

Kiira,
Attached for your review and comment, please find an application to temporarily appropriate 4.42 acre feet of water from ground water/spring for mining operations by Greg Nickel. If you have any questions, don't hesitate to give me a call.

Thanks,
Adam

Adam Frederick
Water Resource Agent
Idaho Department of Water Resources
Northern Regional Office
Phone 208-762-2800



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815-7763
Phone: (208) 762-2800 • Fax: (208) 762-2819 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 14, 2016

KIIRA SIITARI
IDAHO DEPARTMENT OF FISH & GAME
2885 KATHLEEN AVE
COEUR D' ALENE, ID 83815

Re: Application for a Temporary Approval of Water Appropriation

Dear Kiira:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding an application to temporarily appropriate 4.42 acre-feet of water from ground water/spring for mining purposes, by Greg Nickel. A copy of the application is attached for your reference.

Would you please submit your comments no later than March 21, 2016? 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 send comments by regular mail to the above address, by FAX to 208-762-2819 or by e-mail to adam.frederick@idwr.idaho.gov.

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

Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Adam Frederick". The signature is written in a cursive, flowing style.

Adam Frederick
Water Resource Agent

Encl/af