

RECEIVED

APR 14 2015

WATER RESOURCES  
WESTERN REGIONSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESID No. TP63-204

## 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: Hinsel Scott Phone: 208.206.2483  
 Address: 12928 Millstone St Caldwell, ID. 83607 Email: Hindawg@gmail.com  
 1. Source of water: Elk Creek, GRIMES CREEK tributary to Boise River

2. Location of point(s) of diversion:

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #
TSN	R4E	S27				SE	BOISE	GRIMES CREEK	
TSN	R4E	S23				SE	BOISE	ELK 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	
TSN	R4E	S27																	
TSN	R4E	S23																	

4. Describe proposed use of water Recreational recovery of gold. Specifically through panning and High Banking

5. Amount of water:

Maximum rate of diversion \_\_\_\_\_ cfs or 80-100 gpm.Maximum daily volume \_\_\_\_\_ AF; total volume 14000 AF.

6. Duration of diversion: from Aug 1st to Oct 1st  
 Day-month Day-month

7. Describe proposed diverting works: High Banker - Small pump8. a. Who owns the property at the requested point of diversion? BLMb. Who owns the land to be irrigated or place of use? BLM

c. If the property is owned by a person other than the applicant, describe the arrangement allowing access to the water:

Leased Federal Gold Claim9. Additional remarks: All lease on Claim is current and filed

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 [Signature]Date 4-14-15

Received by [Signature] Date 4/14/15 Time 1:10  
 \$50.00 fee received by [Signature] # W042007 Date 4/14/15  
 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. For Elk Creek Portion
- ☒ B. The application for temporary approval should be approved, since For Grimes Ch portion
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 For Elk Creek Portion
- ☒ B. APPROVED, subject to the following conditions: For Grimes Ch portion
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 authorizes a maximum diversion of 4.4 AF and a maximum rate of diversion of 100 CFS or GPM.
  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. A ¼ inch mesh screen shall be installed on the pump intake.
  9. Direct discharge of waste water/slurry into rivers, creeks, or streams is not authorized.
  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](http://www.agri.idaho.gov)) for specific recommendations at 208-332-8500 or by email to [info@agri.idaho.gov](mailto:info@agri.idaho.gov).
  11. This temporary use of water remains subject to control of the Boise River Watermaster.
  12. This approval is subject to the availability of Boise River Rental Pool water to mitigate water losses and injury to existing water rights. This authorization will require the rental of \_\_\_\_\_ AF of water from the Boise River Rental Pool (2 AF minimum). Contact Boise River Watermaster, 208-908-5480.
  13. This approval expires on Oct. 1 2015. ELK CREEK, = August 1

Signed this 24<sup>th</sup> day of April, 2015

For the Director



43.74722708842258  
115.96974849700928





COPY

APPENDIX A  
Notice of Intent (NOI) Information Sheet  
NPDES General Permit IDG370000  
Small Suction Dredge

**Applicant (Owner/Operator):** Hinsel Scott

**Owner Name:** Hinsel Scott + Trent Stenkey

**Winter Address:**

**Summer Address** ☒ Check if same

12928 Millstone St.  
Caldwell, ID 83607

**Telephone Number:** 208-206-2483

**Email address:** Hindawg@gmail.com

**Operator Name** ☒ Check if same as owner

**Operation Name** (if applicable):

**Size of Suction Dredge Nozzle:** 4 1/2  
(5 inches or less)

**Equipment rating:**  
(15 hp or less) 10

**Land Management Agency:**

**Contact:**

**Phone number:**

Permit Part I.D.1. requires copies of certain land management approvals be submitted with the NOI.

Permit Part I.E. requires that you contact the Idaho Department of Water Resources to obtain a permit and determine whether additional restrictions may apply.

**Waterbody Information**

Waterbody*	Nearest Town	Latitude	Longitude	Dates of Operation	Hours of Operation**
Grimes Creek	Idaho City	43.747246	-115.969872	-Aug	8a-8p
Elk Creek	Idaho City	43.9155	-115.7915	-Aug	8a-8p

**\*Include a map noting each location.**

**\*\*An NOI is required on an annual basis for facilities on Mores, Grimes and Elk creeks along with the number of dredge hours planned (See Permit Parts I.G.1. and II.B.3.)**

**Printed Name:** Hinsel Scott

**Signature:** [Signature]

**Date:** 4-10-2015

**Certification:** I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

**Mail Completed NOI to EPA at the following addresses:**

Original to:

EPA Idaho Operations Office

NPDES/IDG370000

950 W Bannock Street, Suite 900

Boise, ID 83702

Signed copies may be faxed to (208) 378-5744

Scanned signed copy e-mailed to [degering.tracy@epa.gov](mailto:degering.tracy@epa.gov)

COPY

Mail completed NOI to Land Management Agency and the appropriate DEQ Regional Office:

<b>State of Idaho Contact Information</b>	
<b>Department of Environmental Quality</b>	<b>Department of Water Resources</b>
Boise Regional Office 1445 North Orchard Boise, Idaho 83706 (208) 373-0550 (888) 800-3480	The Idaho Water Center 322 East Front Street PO Box 83720 Boise, Idaho 83720-0098 Phone: (208) 287-4800
Twin Falls Regional Office 650 Addison Ave. W, Suite 110 Twin Falls, Idaho 83301 (208) 736-2190 (800) 270-1663	Field Office 1301 East Main Street, Suite 7 Salmon, ID 83467 Phone: (208) 756-6644
Pocatello Regional Office 444 Hospital Way, #300 Pocatello, Idaho 83201 (208) 236-6160 (888) 655-6160	Western Regional Office 2735 Airport Way Boise, ID 83705-5082 Phone: (208) 334-2190
Lewiston Regional Office 1118 F Street Lewiston, Idaho 83501 (208) 799-4370 (877) 541-3304	Northern Regional Office 7600 Mineral Drive, Suite 100 Coeur d'Alene, ID 83815-7763 Phone: (208) 762-2800
Coeur d'Alene Regional Office 2110 Ironwood Pkwy Coeur d'Alene, Idaho 83814 (208) 769-1422 (877) 370-0017	Southern Regional Office 1341 Fillmore Street, Suite 200 Twin Falls, ID 83301-3380 Phone: (208) 736-3033
Idaho Falls Regional Office 900 N. Skyline Suite B Idaho Falls, Idaho 83402 (208) 528-2650 (800) 232-4635	Eastern Regional Office 900 North Skyline Drive, Suite A Idaho Falls, ID 83402-1718 Phone: (208) 525-7161

## Peppersack, Jeff

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**From:** Peppersack, Jeff  
**Sent:** Friday, April 24, 2015 10:51 AM  
**To:** 'Hinsel Scott'  
**Subject:** RE: Application for Temporary Approval of Water Appropriation

Mr. Hinsel,

After looking further at your application, I noticed you propose to divert water primarily from Elk Creek. In normal years, water is not available on Elk Creek after August 1, primarily due to senior rights use of the water. This year will be especially low due to a very dry winter. Your application cannot be approved for Elk Creek, even for normal years after August 1. I can still approve your application for Grimes Creek and will continue processing on that basis.

Jeff

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**From:** Hinsel Scott [<mailto:hindawg@gmail.com>]  
**Sent:** Tuesday, April 21, 2015 2:15 PM  
**To:** Peppersack, Jeff  
**Subject:** Re: Application for Temporary Approval of Water Appropriation

Hi Jeff,

Sorry for the delay, I was out of country and didn't have internet.

My business partner has the claim info and managed all that paperwork. He is out of state right now and I will have to see about getting that from him. Here is the basic info I have on hand for our primary location on Elk Creek in case it's of some help now:

Boulder Mill Claim  
Lat. :43.9155  
Long. : 115.7915  
Claim Size: 20 Acres  
Idaho Mining Claim Number:  
177676

It is under the name of our client Chase Blanchard. Was previously owned by a Randy Young I believe.

Thank you for explaining the AF! I am sort of just bearing the load of the paperwork for the first time this year so any help is really a god-send.

In basic language we'd be running a couple days (2-4) a week for 8 hours each day.

I had the months listed just because it covered the full time span that we'd be out there, even though we'd only be working part of the time. (mostly just weekends)

So a good average to cover would be 100 gpm X 8 hours per day X 30 days (since we'll only actually be able to get out part of the time between August and October).  $100 \times 8 \times 60 = 24,000 \times 30 = 720000$

We're glad to adjust our work time if necessary as we are anxious to be able to work but we are also avid stewards of that land and want to be respectful. Let me know if you think any changes would be recommended.

Let me know if you have any questions or if there's anything I can do in the meantime. I will go ahead and work on getting that lease info from my biz partner.

Blessings,  
Hinsel

On Wed, Apr 15, 2015 at 4:09 PM, Peppersack, Jeff <[Jeff.Peppersack@idwr.idaho.gov](mailto:Jeff.Peppersack@idwr.idaho.gov)> wrote:

Mr. Hinsel,

I am reviewing your high-bank application and need some additional information and clarification to finish my review. You noted that the land is owned by BLM and you have current leases for use of the land. Can you provide documentation of the leases for our files? You can mail copies or scan and email copies to me.

Also, on question no. 5, you show a total volume of 14,000. The units shown on our form is AF or acre-feet. Can you clarify the daily vs total volume amounts? The daily volume would be a maximum of 100 gallons per minute times the number of minutes in operation per day. For example, if you operate for two hours per day, the daily volume would be  $100 \times 2 \times 60 = 12,000$  gallons. Your period of use shows August 1 through October 1 or about 60 days. If you operate for 40 days, the total volume would be  $12,000 \times 40 = 480,000$  gallons (converts to 1.5 AF). The total volume is important so you know how much you need to rent from the Boise River rental pool upon approval of your application with IDWR.

Thanks,

Jeff Peppersack

Interim Western Region Manager

Idaho Department of Water Resources

Phone: [208-334-2190](tel:208-334-2190)

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**Geeks Worldwide**

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FB: [www.facebook.com/geeksworldwidellc](https://www.facebook.com/geeksworldwidellc)



## Peppersack, Jeff

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**From:** Peppersack, Jeff  
**Sent:** Wednesday, April 22, 2015 12:32 PM  
**To:** 'Hinsel Scott'  
**Subject:** RE: Application for Temporary Approval of Water Appropriation

Mr. Hinsel,

I think the information you provided should be sufficient to continue processing your application. I'll let you know if anything else comes up.

Jeff Peppersack

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**From:** Hinsel Scott [<mailto:hindawg@gmail.com>]  
**Sent:** Tuesday, April 21, 2015 2:15 PM  
**To:** Peppersack, Jeff  
**Subject:** Re: Application for Temporary Approval of Water Appropriation

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I had the months listed just because it covered the full time span that we'd be out there, even though we'd only be working part of the time. (mostly just weekends)

So a good average to cover would be 100 gpm X 8 hours per day X 30 days (since we'll only actually be able to get out part of the time between August and October).  $100 \times 8 \times 60 = 48,000$   $24,000 \times 30 = 720,000$   $720,000 / 144,000 = 4.4 \text{ af}$

We're glad to adjust our work time if necessary as we are anxious to be able to work but we are also avid stewards of that land and want to be respectful. Let me know if you think any changes would be recommended.

Let me know if you have any questions or if there's anything I can do in the meantime. I will go ahead and work on getting that lease info from my biz partner.

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Thanks,

Jeff Peppersack

Interim Western Region Manager

Idaho Department of Water Resources

Phone: [208-334-2190](tel:208-334-2190)

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FB: [www.facebook.com/geeksworldwidellc](https://www.facebook.com/geeksworldwidellc)

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Thanks,  
Jeff Peppersack  
Interim Western Region Manager  
Idaho Department of Water Resources  
Phone: 208-334-2190



**BOISE RIVER RENTAL POOL LEASE AGREEMENT  
FOR 20\_\_\_\_\_**

The Committee of Water District No. 63 being authorized pursuant to Idaho Code Section 42-1765 to lease stored water which has been provided to the Boise River Rental Pool by water users who own reservoir space and have excess supplies for the current year, does agree to sell \_\_\_\_\_(entity), \_\_\_\_\_A.F. of water requested for \_\_\_\_\_(use). This agreement is subject to the adopted Rules and Regulations of the Boise River Rental Pool and execution of same by the party herein named.

Upon receipt of \$\_\_\_\_\_and the information requested below, the Boise River Watermaster will release to you from storage, at the rate you specify \_\_\_\_\_A.F. of stored water between \_\_\_\_\_and \_\_\_\_\_of 20\_\_\_\_\_.

Description of point of diversion:

Located in \_\_\_\_\_1/4 \_\_\_\_\_1/4, Sec.\_\_\_\_\_, T.\_\_\_\_\_, R.\_\_\_\_\_;

Other: \_\_\_\_\_

On Source: \_\_\_\_\_

Pump H.P. \_\_\_\_\_ Lift \_\_\_\_\_

Headgate \_\_\_\_\_(canal name if appropriate)

Description of place of use:

Legal Description: \_\_\_\_\_

Total number of acres irrigated \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

\_\_\_\_\_  
(name)

\_\_\_\_\_  
(address)

State of Idaho \_\_\_\_\_)

County of \_\_\_\_\_)

On this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_, before me the undersigned Notary Public in and for said county and state, personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I \_\_\_\_\_ have hereto set my hand and affixed my official seal, the day and year in this certificate first written.

\_\_\_\_\_  
Notary Public in and for Idaho  
Residing at: \_\_\_\_\_

I have accepted the request of \_\_\_\_\_ to purchase water from the Boise River Rental Pool this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

\_\_\_\_\_  
Watermaster, Water District No. 63  
Agent for the Committee of Water





State of Idaho

## DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

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

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

TP-63-204

April 27, 2015

HINSEL SCOTT  
12928 MILLSTONE ST  
CALDWELL ID 83607

**RE: Temporary Permit No. TP-63-204**

Dear Applicant,

Your application for Temporary Water Appropriation has been approved and is enclosed for your proposed usage in Grimes Creek. Due to the proposed time of year and water availability, the Elk Creek portion of the application has been denied. I have included of our email exchange for additional detail.


Please be advised the approval only authorizes the temporary use of water. It does not grant trespass or other activity on public land or on private property.

Please note the conditions of approval to understand the limitations associated with the temporary use of water. The expiration date cannot be extended under this temporary approval.

See the enclosed rental pool lease agreement to contact Boise River Watermaster Rex Barrie at 208-908-5480 for the required follow up before diverting water under this temporary approval.

If you have any questions regarding this matter, please call me at 208-334-2190.

Sincerely,

  
for Jeff Peppersack  
Interim Regional Manager

Enclosure