



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

GARY SPACKMAN
Director

May 8, 2014

JOHN JACOBS
2727 9TH AVE
CLARKSTON WA 99403

RE: Temporary Permit No. TP-83-14

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-83-14.

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 "Keith E. Franklin". The signature is fluid and cursive, with the first name "Keith" being more prominent.

Keith E. Franklin
Program Manager

Enclosure Copy of TP-83-14

RECEIVED
APR 23 21
DEPARTMENT OF
WATER RESOURCES

Busin 83

ID No. TP-83-14

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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.)

RECEIVED
APR 28 2014
IDWR / NORTH

Name of applicant: John Jacobs Phone: 208-791-5212

Address: 2727 9th Avenue Clarkston WA 99403 Email: katharizojj@yahoo.com

1. Source of water: North Fork of Clearwater River tributary to Clearwater 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 #
40N	8E	29		SW	4		Clearwater	North Fork Clearwater	
37N	3W	25		SW	4		Nez Perce	Clearwater River	

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	
40N	8E	29									4								
37N	3W	25										4							

4. Describe proposed use of water: Occasional use of a highbanker while prospecting, using a 2.5hp water pump with a 1.5" intake/discharge.

5. Amount of water:

Maximum rate of diversion .12 cfs or 40 gpm.

Maximum daily volume .22 AF; total volume 2.87 AF.

6. Duration of diversion: from 5/1/2014 to 12/31/2014
Day-month Day-month

7. Describe proposed diverting works: Taken directly from the river unaltered

8. a. Who owns the property at the requested point of diversion? USFS and BLM

b. Who owns the land to be irrigated or place of use? Same as above

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

9. Additional remarks: I will be operating a small highbanker during family outing several times this summer. I will be pumping directly from the rivers, using a 1.5" intake with a .10" mesh intake screen.

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]
Signature of applicant

4/17/2014
Date

Received by CS Date 4/23/14 Time 10:15am

\$50.00 fee received by CS # C098729 Date 4/23/14

Watermaster Comments received? _____ Date _____

TP-83-14

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 2.87 AF and a maximum rate of diversion of 0.17 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. This approval expires on Dec. 31, 2014.

Signed this 8 day of May, 2014.

For: Keith L. Frankel
Manager, Northern Region
For the Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

April 29, 2014

John Cardwell
Idaho Department of Environmental Quality
1118 F St.
Lewiston, ID 83501

Re: Application For a Temporary Approval of a Water Appropriation

Dear Mr. Cardwell:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding an application to temporarily appropriate a total of 2.87 acre-feet of water from the North Fork of the Clearwater River, for mining purposes by John Jacobs. A copy of the application is attached for your reference.

Would you please submit your comments no later than May 6, 2014? 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.

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

Thank you.

Sincerely,

Keith E. Franklin
Program Manager Northern Region

Encl/kf



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

April 29, 2014

Ray Hennekey
Idaho Department of Fish & Game
3316 16th St.
Lewiston, ID 83501

Re: Application For a Temporary Approval of a Water Appropriation

Dear Ray:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding an application to temporarily appropriate a total of 2.87 acre-feet of water from the North Fork of the Clearwater River, for mining purposes by John Jacobs. A copy of the application is attached for your reference.

Would you please submit your comments no later than May 6, 2014? 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.

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

Thank you.

Sincerely,

Keith E. Franklin
Program Manager Northern Region

Encl/kf

*NO comments
as of 5/8/14
KF*

Franklin, Keith

From: Franklin, Keith
Sent: Tuesday, April 29, 2014 10:13 AM
To: 'John.Cardwell@deq.idaho.gov'
Subject: Application For Temporary Water Appropriation
Attachments: DOC.pdf

John,

Attached for your review and comment is an application for a temporary water appropriation for a high bank mining operation from the North Fork of the Clearwater River. If you have any questions, feel free to give me a call.

Thanks.

Keith.

Franklin, Keith

From: Franklin, Keith
Sent: Tuesday, April 29, 2014 10:10 AM
To: 'Hennekey, Ray'
Subject: Application For Temporary Water Appropriation
Attachments: DOC000.pdf

Ray,
Attached for your review and comment is an application for a temporary water appropriation.
If you have any questions, feel free to give me a call.
Thanks.
Keith.



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

RECEIVED
MAY 02 2014
IDWR / NORTH

1118 F Street • Lewiston, Idaho 83501 • (208) 799-4370
www.deq.idaho.gov

C.L. "Butch" Otter, Governor
Curt Fransen, Director

April 30, 2014

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

Dear Mr. Franklin:

We received a request for comment on an application for a temporary water appropriation permit to withdraw a total of 2.87 total acre-feet from the North Fork Clearwater River, Clearwater County, and from the Clearwater River, Nez Perce County from May 1 to December 31, 2014. The water will be pumped directly from the rivers using a 2.5 horsepower water pump with a 1.5 inch intake to operate a small high-banker for mining during family outings. Assuming all federal, state and local permits have been obtained, regulations met, and reviews completed, we offer the following comments.

The North Fork Clearwater River is included in water body ID17060307CL002_05 and is protected for cold water aquatic life, salmonid spawning, primary contact recreation, and domestic water supply beneficial uses. This waterbody ID is listed in Category 3 of the Idaho 2010 Integrated Report because the beneficial use support status has not been assessed.

The Clearwater River is included in water body ID17060306CL013_07 and is protected for cold water aquatic life, salmonid spawning, primary contact recreation, and domestic water supply beneficial uses. This water body ID is listed in Category 5 of the Idaho 2010 Integrated Report due to dissolved gas supersaturation impairment of the aquatic life beneficial uses.

DEQ agrees that the temporary withdrawal 2.87 acre-feet from the two water bodies from May 1 to December 31 should not impact water quality. Idaho's Water Quality Standards however, restricts the discharge of wastewater which may adversely affect water quality as a result of mining activities. No wastewater can be allowed to infiltrate and/or return to the North Fork Clearwater River or the Clearwater River without an approved discharge permit.

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 that reads "Cindy Barrett".

Cindy Barrett
Regional Water Quality Program Manager

cc: Ray Hennekey, IDFG
John Cardwell, DEQ