



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

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JUL 15 2013

DEPARTMENT OF  
WATER RESOURCES

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

July 10, 2013

ED POMME'  
PO BOX 630  
BOVILL ID 83806

RE: Temporary Permit No. TP-91-06

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-91-06 .

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. IDFG contact person is Mary Terra-Berns at 208-769-1414.

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

Sincerely,

  
Keith E. Franklin  
Program Manager

Enclosure Copy of TP-91-06

RECEIVE

Basin 91

ID No. TP-91-06

RECEIVED

JUN 20 2013

JUN 24 2013

DEPARTMENT OF  
WATER RESOURCESSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

IDWR/NORTHERN

## 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: Ed Pomme Phone: 208 826 3235  
 Address: P.O. Box 630 Bovill, Id 83806 Email: EdPomme2010@hotmail.com  
 1. Source of water: GRAMP CREEK tributary to ST MARIES 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 #
42N	3E	30		SW				Gramps 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	
42N	3E	30			X							X						X	

4. Describe proposed use of water to operate a Hi Banker for REL mining
5. Amount of water:  
 Maximum rate of diversion \_\_\_\_\_ cfs or 15 gpm.  
 Maximum daily volume \_\_\_\_\_ AF; total volume 1.200 AF.  
 6. Duration of diversion: from 15 JULY to 15 AUGUST  
 Day-month 3-4 DAYS A WEEK Day-month 3-4  
 7. Describe proposed diverting works: to wash gravel and return to source  
 8. a. Who owns the property at the requested point of diversion? STATE & USES  
 b. Who owns the land to be irrigated or place of use? NONE  
 c. If the property is owned by a person other than the applicant, describe the arrangement allowing access to the water:  
NONE  
 9. Additional remarks: Pump puts out 90 gpm. An <sup>man</sup> to spray BAR which uses around 5 gallon a minute or less  
USE IS for a Hi Banker (Hydraulic Concentrator)

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.

Ed Pomme  
 Signature of applicant

6/17/2013  
 Date

Received by bp Date 6-20-13 Time 11:35 AM  
 \$50.00 fee received by bp # C097374 Date 6-20-13  
 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 AF and a maximum rate of diversion of 0.03 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. 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.
  9. This approval expires on 8/31/13.

Signed this 10 day of July, 2013.

Keith L. Franklin  
For the Director

## Franklin, Keith

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**From:** Franklin, Keith  
**Sent:** Monday, July 01, 2013 2:52 PM  
**To:** 'Terra Berns, Mary'  
**Subject:** Application for Temporary Water Appropriation, Pomme'.  
**Attachments:** DOC006.pdf

Mary,

Attached is an application to appropriate water for high bank mining from Graves Creek by Ed Pomme', for your review and comment. If you have any questions, feel free to give me a call.

Thanks.

Keith.





State of Idaho

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C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

July 1, 2013

MARY TERRA BERNIS  
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 to temporarily appropriate 1.0 acre-feet of water from Graves Creek which is tributary to the St. Maries River, for high bank mining by Ed Pomme'. A copy of the application is attached for your reference.

Would you please submit your comments no later than July 8, 2013? 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 above address, by FAX to 208-762-2819 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,

A handwritten signature in blue ink that reads "Keith".

Keith E Franklin  
Program Manager, Northern Region

Encl/kf

*No comments received  
as of 7/10/13.  
KD*



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**C. L. "BUTCH" OTTER**  
Governor

**GARY SPACKMAN**  
Interim Director

June 25, 2013

Ed Pomme'  
PO Box 630  
Bovill, ID 83806

Re: Application For Temporary Water Appropriation

Dear Mr. Pomme':

The Idaho Department of Water Resources is returning your recently submitted application for the following reason;

On line item #5, for the total volume requested you need to indicate how many acre-feet of water is needed. One acre-foot of water is equivalent to 325,850 gallons and these temporary applications are good for up to 5 acre-feet.

Once you have made the correction, please return to me for further processing and if you have any questions, feel free to contact me at this office.

Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Keith E. Franklin". The signature is written in a cursive, flowing style.

Keith E Franklin  
Program Manager, Northern Region