

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.)

Name of applicant: Gusman Gold LLP Phone: 208-631-0188

Address: 8858 Stardust Ln Nampa Idaho 83686 Email: sam@keys2idaho.com

1. Source of water: Jordan Creek tributary to Owyhee 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 #
	<u>Same as</u>	<u># 3</u>							

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	
<u>5S</u>	<u>5W</u>	<u>24</u>										<u>X</u>							<u>40 ACRES</u>
<u>5S</u>	<u>5W</u>	<u>24</u>						<u>X</u>											<u>120 ACRES</u>

4. Describe proposed use of water Dredging operation

5. Amount of water:

Maximum rate of diversion \_\_\_\_\_ cfs or 70 gpm. JFW

Maximum daily volume \_\_\_\_\_ AF; total volume 5.0 AF.

6. Duration of diversion: from May 1, 2013 to Sept 1, 2013  
Day-month Day-month

7. Describe proposed diverting works: Pump

8. a. Who owns the property at the requested point of diversion? Gusman Livestock

b. Who owns the land to be irrigated or place of use? Gusman Livestock

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

9. Additional remarks: Pump that is being used is a 3" Pump. We will be filtering the water back into the main stream.

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

4-3-13

Date

Received by JA Date 4/9/2013 Time 10:36

\$50.00 fee received by JA # W1041012 Date 4/9/2013

Watermaster Comments received? \_\_\_\_\_ Date \_\_\_\_\_

RECEIVED Page 1 of 2

APR 09 2013

WATER RESOURCES

TP- 55-04

## 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:

- X a) 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—*reclamation of patented lands previously dredged*
  4. The approval will not injure known public values associated with the water source or any known water rights

*Comment letters sent to Jordan Creek Waterusers 04/23/13--No comments received.*

### This application is therefore hereby:

- a) DENIED
- X 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 5.0 AF and a maximum rate of diversion of 70 cfs (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 expires on 09/01/13.
  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. At no time shall this diversion exceed 25% of the total creek flow.
  9. ¼ inch mesh screen shall be installed on the pump intake
  10. Direct discharge of waste water/slurry into rivers, creeks, or streams is not authorized.
  11. This authorization is in conjunction with mining and reclamation of patented lands in the location described.

DATED this 15<sup>th</sup> day of May, 20 13.

John Westra  
For the Director Manager, Western Reg.

## TO: Water Resources -

1. We are not Highbanking.
2. Trommel use only.
3. Taking water from the old dredge tailings.
4. All water will be filtered and returned to the creek or Gravel.
5. We are not consuming any water that won't be returned to the creek.
6. We will be Reclaiming the old tailings and will ~~create~~ <sup>create</sup> more water in downstream.

X ~~Shund~~ ~~Sturace~~ 4/18/13

Cell: 208-631-0188



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

April 23, 2013

Jordan Creek Waterusers  
Jordan Valley OR, 97910

**RE: Application for Temporary Water Appropriation—TP-55-06  
Dredge Processing/Reclamation—Gusman Gold LLP**

Dear Creek Wateruser:

### Reprocessing/Reclaiming

Attached is an Application for a Temporary Water Appropriation submitted by Gusman Gold LLP to the Department. The applicant proposes to process previously dredged tailing materials on patented parcels located in Township 05S, Range 05W, Section 24, Southwest and Northwest quarter sections, see attached map.

The project proposes to divert water from the pools/creek, utilize the water through a mining trommel, and directly return filtered water to the sands/gravels. The tailings lands would then be reclaimed.

### Temporary Water Appropriation

Under Idaho Code 42-202A our agency must evaluate certain criteria when considering a new temporary appropriation of water. The following must be evaluated:

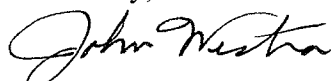
- Can the temporary approval be properly administered?
- Are other water sources not available?
- Would an approval be in the public interest?
- Would an approval injure public values associated with the water source?
- Would there be injury to other existing water rights?

### Comments

The purpose of this letter is provide creek waterusers notice of the temporary application and the opportunity for comments. If you have comments/concerns regarding the project, please submit them to the Western Regional Office by **May 10, 2013**.

Should you have questions please contact me at the Western Regional Office, phone 334-2190.

Sincerely,

  
John Westra, Manager

Enclosure: application, letter, map

05/15/13 - No comments received