



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

05/24/2013

MATHEW BASDEN  
PO BOX 15205  
SPOKANE VALLEY WA 99215

RE: Temporary Permit No. TP-87-41

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-87-41.

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

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 written in a cursive, flowing style.

Keith E. Franklin  
Program Manager

Enclosure – Copy of TP-87-41

Basden 87

Form 202A 04/12  
**RECEIVED**

ID No. TP-87-41

**APR 11 2013**

STATE OF IDAHO  
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: Mathew Basden Phone: 509-999-2353

Address: P.O. Box 15205, Spokane Valley, Wa. 99215 Email: mbasden @ cet.com

1. Source of water: East Eork Gold Creek tributary to Gold Creek

2. Location of point(s) of diversion:

TWP	RGE	SEC	GOVT LOT	¼	¼	¼	County	Source	Local name or tag #
042N	004W	011		SW	SE +	SW	LATAH	E. FORK GOLD CREEK	SAME

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	
042N	004	011											X	X					

4. Describe proposed use of water Small Scale, Minimal Impact, Mineral Prospecting  
( Occasional Use, 15 APR 2013 to 31 DEC 2013 )

5. Amount of water:

Maximum rate of diversion 0.37 cfs or 166 gpm.

Maximum daily volume 59,760 gal/day AF; total volume 5 AF.

6. Duration of diversion: from 15 APR 2013 to 31 DEC 2013  
Day-month Day-month

7. Describe proposed diverting works: Portable 5HP-2" Pump

8. a. Who owns the property at the requested point of diversion? Forest Service- Surface Rights, M. Basden- Mineral Rights

b. Who owns the land to be irrigated or place of use? Forest Service- Surface Rights, Mathew Basden- Mineral Rights

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

Approved Letter of Intent and/or Plan of Operations, Potlatch Ranger Station, Potlatch Idaho.

9. Additional remarks: Water intake screened w/ 1/4" dia. openings or smaller

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.

Mathew Basden

Signature of applicant

9 APR 2013

Date

Received by db

Date

4/11/13

Time

\$50.00 fee receipted by db

#

15029762

Date

4/11/13

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 5 AF and a maximum rate of diversion of 0.37 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 12/31/13.

Signed this 23 day of May, 2013.

  
For the Director





State of Idaho

## DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

May 13, 2013

RAY HENNEKEY  
IDAHO DEPARTMENT OF FISH & GAME  
3316 16<sup>TH</sup> 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 5 acre-feet of water from the East Fork of Gold Creek, for a small high bank mining operation, by Mathew Basden . A copy of the application is attached for your reference.

Would you please submit your comments no later than May 20, 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 address above, by FAX to 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,

Keith E. Franklin  
Interim Program Manager

Encl/kf

*No comments received.  
as of 5/23/13.  
KE*

**Taylor, Greg**

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**From:** Taylor, Greg  
**Sent:** Friday, April 12, 2013 9:15 AM  
**To:** 'Hennekey,Ray'  
**Cc:** Cynthia.Barrett@deq.idaho.gov  
**Subject:** Comments

Ray and Cindy,

It appears to be an intermittent stream, but I still need comments by April 19, if you have any.

Greg

## Taylor, Greg

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**From:** Taylor, Greg  
**Sent:** Friday, April 12, 2013 9:20 AM  
**To:** 'Cynthia.Barrett@deq.idaho.gov'; ray.hennekey@idfg.idaho.gov  
**Subject:** RE: Comments  
**Attachments:** Basden.pdf

My bad.

Forgot to attach the attachment.....

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**From:** [Cynthia.Barrett@deq.idaho.gov](mailto:Cynthia.Barrett@deq.idaho.gov) [<mailto:Cynthia.Barrett@deq.idaho.gov>]  
**Sent:** Friday, April 12, 2013 9:16 AM  
**To:** Taylor, Greg; [ray.hennekey@idfg.idaho.gov](mailto:ray.hennekey@idfg.idaho.gov)  
**Subject:** RE: Comments

Hi Greg, this appears to be an intermittent message...do you have any more info for me?

Thanks!

Cindy

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**From:** Taylor, Greg [<mailto:Greg.Taylor@idwr.idaho.gov>]  
**Sent:** Friday, April 12, 2013 9:15 AM  
**To:** Hennekey,Ray  
**Cc:** Cynthia Barrett  
**Subject:** Comments

Ray and Cindy,

It appears to be an intermittent stream, but I still need comments by April 19, if you have any.

Greg



STATE OF IDAHO  
DEPARTMENT OF  
ENVIRONMENTAL QUALITY

1118 F Street • Lewiston, Idaho 83501 • (208) 799-4370

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

April 12, 2013

Greg Taylor  
Idaho Department of Water Resources  
7600 N. Mineral Drive, Suite 100  
Coeur d'Alene, Idaho 83815

Subject: Application for a Temporary Approval of a Water Appropriation

Dear Mr. Taylor:

We received your request for our comments on the approval of an application for a temporary water appropriation from East Fork Gold Creek, Latah County. Assuming all federal, state and local permits have been obtained, regulations met, and reviews completed, we offer the following comments.

In the Idaho Water Quality Standards, East Fork Gold Creek is included in water body unit ID17060108CL030 and is designated for the protection of cold water aquatic life, salmonid spawning, and secondary contact recreation beneficial uses. The East Fork Gold Creek is included in the 2005 Palouse River Tributaries Total Maximum Daily Load (TMDL) allocation for bacteria, sediment, and temperature impairment. The TMDL is a pollution management plan that calculates the maximum amount of a pollutant allowed in the creek based on the volume or flow of water in the creek. Reduction in flow in East Fork Gold Creek can cause pollutant increases that exceed the total maximum daily load and Idaho water quality standards.

Because East Fork Gold Creek has pollutant TMDLs, we are concerned that there may not be sufficient flow to support the requested withdrawal rate of 0.37 cubic feet per second (cfs), or 166 gallons per minute. Based on the information included in the TMDL, we recommend that the legally appropriated withdrawal be made, at a minimum, when flows are normally greater than 1 cfs and that the stream not be allowed to go dry as a result of legally appropriated and allowable water withdrawals.

Thank you for the opportunity to comment on your application. If you have any questions regarding the Idaho Water Quality Standards or the conditions listed above, please call us at (208) 799-4370 or email, [John.Cardwell@deq.idaho.gov](mailto:John.Cardwell@deq.idaho.gov).

Sincerely,

A handwritten signature in dark ink, appearing to read "John Cardwell".

John Cardwell  
Regional Water Quality Program Manager

c: Mathew Basden, Spokane  
Ray Hennekey, IDFG, Lewiston

RECEIVED  
APR 16 2013  
IDWR / NORTH

## Franklin, Keith

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**From:** Franklin, Keith  
**Sent:** Monday, May 13, 2013 1:17 PM  
**To:** 'Hennekey, Ray'  
**Attachments:** DOC.pdf

Ray

Attached is an application for a temporary water appropriation for a small mining operation on the East Fork of Gold Creek for your review and comment.

Thanks./

Keith Franklin