



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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

05/23/2013

JOHN JACOBS
2727 9TH AVENUE
CLARKSTON WA 99403

RE: Temporary Permit Nos. TP-83-13

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-83-13

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 Receipt No. N029739
and Copy of TP-83-13

RECEIVED

Form 202A 04/12

APR 08 2013

ID No. TP-83-13

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: 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	¼	¼	¼	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 5/1/2013 to 12/31/2013
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.

John T. Jacobs 4/4/2013
Signature of applicant Date

Received by db Date 4/8/13 Time

\$50.00 fee received by db # N029139 Date 4/8/13

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 2.87 AF and a maximum rate of diversion of 0.12 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

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

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

May 13, 2013

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 and the Clearwater Rivers, by John Jacobs for a small high bank mining operation. A copy of the application is attached for your reference.

Would you please submit your comments no later than March 18, 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.

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 E. Franklin". The signature is written in a cursive, flowing style.

Keith E. Franklin
Program Manager Northern Region

Encl/kf



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815
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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

May 13, 2013

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 3 acre-feet of water from the North Fork and the Clearwater Rivers, for a small high bank mining operation, by John Jacobs . 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.

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.
KF*

Franklin, Keith

From: Franklin, Keith
Sent: Monday, May 13, 2013 2:03 PM
To: 'Hennekey, Ray'
Attachments: DOC000.pdf

Ray,
Attached is an application for a temporary water appropriation from the North Fork and the Clearwater Rivers for your review and comment.
Thanks.
Keith

Franklin, Keith

From: Franklin, Keith
Sent: Monday, May 13, 2013 1:53 PM
To: 'john.cardwell@deq.idaho.gov'
Attachments: DOC001.pdf

Mr. Cardwell,

Attached is an application for a temporary water appropriation from the North Fork and the Clearwater Rivers for a small high bank mining operation for your review and comment.

Thank you.

Keith E Franklin
Program Manager



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

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

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

May 17, 2013

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

RECEIVED

MAY 20 2013

IDWR/NORTHERN

Dear Mr. Franklin:

We received a request for comment on an application for a temporary water appropriation permit to withdraw 40 gallons per minute, maximum daily volume of 0.22 acre feet from May 1 to December 31, 2013 from the North Fork Clearwater River, Clearwater County, and from the Clearwater River, Nez Perce County. 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 first point of diversion is located on a section of the North Fork Clearwater River that is included in water body ID17060307CL002_05 in the Idaho Water Quality Standards, 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 3 of the Idaho 2010 Integrated Report because the beneficial use support status has not been assessed.

The second point of diversion is located on a section of the Clearwater River that is included in water body ID17060306CL013_07 in the Idaho Water Quality Standards, 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 use.

DEQ agrees that the temporary withdrawal of 40 gallons per minute, maximum daily volume of 0.22 acre feet from the two water bodies from May 1 to December 31 should not impact water quality. In order to protect and maintain aquatic life beneficial uses, stream flow adequate to sustain existing aquatic life needs to be maintained. No waste water will be deposited back into the North Fork Clearwater River and the Clearwater River.

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, appearing to read "John Cardwell".

John Cardwell
Water Quality Manager

cc: Clayton Steele, Regional Administrator
Ray Hennekey, IDFG