



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
Interim Director

February 25, 2011

Attn Donna Heieren
NWGPA
PO Box 1450
Orofino ID 83544

RE: Joint Application for Permit No. 85-20033.

Dear Ms. Heieren:

This office has reviewed your above referenced application for a permit to alter the channel of the Clearwater River and has prepared a decision as provided for in Section 42-3805, Idaho Code. The conditions set forth in this permit are intended to prevent degradation of water quality, protect fish and wildlife habitat and protect the long term stability of the stream channel. Your cooperation in meeting these conditions is appreciated. If you cannot meet the conditions set forth in the permit, please contact this office for further consideration.

PERMIT

You may consider this letter as a permit to alter the channel of the Clearwater River within the NE1/4 Section 7, T36N, R3W, B.M. The stream alteration is associated with the use of small, powered and non-powered mining equipment to extract gold. Your project is subject to the following Conditions and Minimum Standards:

SPECIAL CONDITIONS:

[1] All construction shall be completed in accordance with the descriptions & methods on the application and attachments, unless otherwise specified.

[2] Hazardous, toxic and/or deleterious materials must not be stored, disposed of or accumulated adjacent to a waterway, unless adequate measures and controls are provided to insure these materials will not enter the waterway as a result of high water, precipitation runoff, wind, storage facility failure, accidents in operation or unauthorized third party activities.

[3] This permit is only valid from April 8, 2011 thru April 24, 2011.

The Coeur d' Alene office of the Department of Water Resources shall be contacted at least three (3) working days prior to beginning construction. (208)762-2800 or greg.taylor@idwr.idaho.gov

GENERAL CONDITIONS:

This permit does not constitute any of the following:

- a. An easement or right-of-way to trespass or work upon property belonging to others.
 - b. Other approval that may be required by State or Federal Government, unless specifically stated in the special conditions above.
 - c. Responsibility of the Department of Water Resources for damage to adjacent properties due to work done.
 - d. Compliance with the Federal Flood Insurance Program, FEMA regulations or approval of the local Planning and Zoning authority.
 - e. Authorization to take any threatened or endangered species or to destroy or degrade any critical habitat of any threatened or endangered species. Impacts to habitat shall be avoided by operating in water less than three feet deep and by operating to avoid carrying sediment to deep water.
 - f. Operation of any mining equipment within 200 feet of any maintained boat ramp.
 - g. Operation of any mining equipment in a manner that results in the undercutting of a stream bank, the dislodging of stream bank vegetation, or that creates a condition whereby undercutting of stream bank will occur during high water is a violation of Idaho Code.
 - h. Operation of any suction dredge in excess 5 inches or in excess of 15 horse power.
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1. In accordance with Idaho Code, Section 55-2201 - 55-2210, the applicant and/or his contractors must contact Digline statewide phone number 1-800-342-1585, Boise area 342-1585, not less than 3 working days prior to the start of any excavation for this project.
 2. The permit holder or operator must have a copy of this permit at the alteration site, available for inspection at all times.
 3. The Department of Water Resources may cancel this permit at any time that it determines such action is necessary to minimize adverse impact on the stream channel.
 4. Conditions and construction procedures approved under this permit may not coincide with the proposal as submitted. Failure to adhere to conditions as set forth herein can result in legal action as provided for in Section 42-3809, Idaho Code.
 5. A separate permit may be required from the Department of Lands for this work.