



State of Idaho
DEPARTMENT OF WATER RESOURCES

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

RE: 2021 Idaho Recreational Mining Authorization (LETTER PERMIT) April 1, 2021 – March 31, 2022

Dear Recreational Miner:

The Idaho Department of Water Resources ("IDWR") hereby issues an expedited LETTER PERMIT. This LETTER PERMIT allows the Permit Holder, indicated below, authorization to operate recreational mining equipment to alter a stream channel in accordance with the Stream Channel Alteration Rules (IDAPA 37.03.07 – Rule 61) and the 2021 IDWR Instructions for "Stream Channel Alteration by Recreational Mining Activities" ("IDWR Instructions").

This LETTER PERMIT does not authorize recreational mining on the South Fork Clearwater River ("SFCR") or McCoy Creek Drainage (tributary to South Fork Snake River). To apply for consideration for mining on the SFCR, you must complete and submit an IDWR South Fork Clearwater River Special Supplement Application ("Special Supplement"). To apply for consideration for mining on McCoy Creek Drainage, you must complete and submit a Joint Application for Permits ("Joint Application"). For all other OPEN locations, this LETTER PERMIT must include information requested on page 2.

Rule 61 (attached), "Standards for Suction Dredges and Non-Powered Sluice Equipment," provides minimum standard conditions for this LETTER PERMIT. The authorized holder of this LETTER PERMIT may operate recreational mining equipment in stream channel segments of the state designated OPEN as described in the IDWR Instructions referenced above and available at IDWR's website: https://idwr.idaho.gov/forms/streams.html. Mining activities authorized by this letter permit are limited by the Special Conditions listed below. Failure to adhere to these requirements can result in legal action as provided for in Idaho Code §42-3809 and 42-1701B. Effective as of 2020, the Idaho Department of Environmental Quality ("DEQ") requires an Idaho Pollutant Discharge Elimination System ("IPDES") permit for suction dredging in Idaho. Letter Permit holder must contact the DEQ before undertaking stream channel alterations (see page 3 of the IDWR Instructions for DEQ contacts).

SPECIAL CONDITIONS – IDWR LETTER PERMIT

- 1. Permit holder will only work on a stream segment listed as OPEN in the IDWR Instructions.
2. Stream channels altered by dredge mining shall be restored to their original general configuration.
3. The stream channel shall not be altered in a manner that creates a physical barrier preventing upstream or downstream fish movement.
4. This permit does not serve in lieu of other permits that may be required by federal or other state government agencies or in any way constitute an exemption of other permit requirements.
5. Permit holder shall obtain authorization from the land owner or land manager to access the property where the mining operation is located and determine if other permits are required. A copy of this permit should be submitted to the appropriate federal, state or tribal land manager if the mining operation is located on federal, state or tribal land.
6. The Permit Holder shall obtain an IPDES permit from DEQ before carrying out any mining activities authorized by this permit
7. Permit holders shall have a copy of their IDWR Letter Permit and their IPDES permit at all times while mining.
8. This permit does not constitute:
a. An easement or right-of-way to trespass or work upon property or mining claims belonging to others; or
b. Responsibility of IDWR for damage to any properties due to stream channel alterations.
9. All fuel, oil, and other hazardous materials shall be stored outside of the stream channel. The Permit holder shall not operate any equipment that leaks fuel, hydraulic fluid, or other pollutants. The Permit holder shall use a funnel when pouring fuel and place absorbent material, sufficient to absorb a spill, under and around the fuel tank. A petroleum absorbent spill kit shall be onsite in case of accidental spills and no petroleum products shall enter the stream when servicing the equipment.
10. This permit may be canceled at any time to minimize adverse impact on the stream channel.
11. This permit shall expire March 31, 2022.

Sincerely,

[Handwritten signature of Aaron Golart]

Aaron Golart, State Coordinator, Stream Protection Program

Permit Holder's Name _____ Idaho Resident? Yes ___ No ___

Mailing Address _____ City _____ State _____ Zip _____

Email _____ Phone _____

Certification: I certify under penalty of law that I have read and understand the IDWR Instructions and will conduct my operations in compliance with those Instructions, all rules, and other requirements. In addition, I certify that I have provided a copy of this LETTER PERMIT with the appropriate fee to IDWR.

Signature _____ Date _____

IDWR OFFICE USE ONLY – ID Resident \$10/Non-ID Resident \$30
Fee \$ _____ Received by _____ Date _____ Receipt No. _____ Permit No. _____

IDAPA 37.03.07 (RULE 61)

061. SUCTION DREDGES AND NON-POWERED SLUICE EQUIPMENT (RULE 61).

01. Standards for Suction Dredges. The following standards shall apply only to uses of suction dredges with nozzle diameter of five (5) inches or less and rated at fifteen (15) HP or less and non-powered sluice equipment moving more than one-quarter (1/4) cubic yard per hour. (7-1-93)

02. Operating Permit. A permit for the operation of a suction dredge may authorize the use of the dredge within a drainage basin or a large portion of a drainage basin except as otherwise determined by the Director. (7-1-93)

03. Mechanized Equipment Prohibited Below High Water Mark. There shall be no use of mechanized equipment below the mean high water mark except for the dredge itself, and any life support system necessary to operate the dredge. (7-1-93)

04. Operation of Dredge. The operation of the dredge shall be done in a manner so as to prevent the undercutting of streambanks. (7-1-93)

05. Permit Required for Non-Powered Operation -- More Than Five People. A permit shall be required for any non-powered operation in which more than five (5) people are working the same area. (7-1-93)

06. Permit Required for Non-Powered Operation -- More Than Thirty-Three Percent of Stream Width. A permit shall be required for any non-powered operation if the disturbed area exceeds thirty-three percent (33%) of the stream width at the mining location. (7-1-93)

07. Limitation of Mining Sites. Only one (1) mining site per one hundred (100) linear feet of stream channel shall be worked at one (1) time unless waived by the Director. (7-1-93)

The entire IDAPA 37.03.07 Stream Channel Alteration Rules can be obtained from:
<https://adminrules.idaho.gov/rules/current/37/370307.pdf>