

Received by [Signature] Date 4/28/08 Time 8:45a TP-94-62  
 \$50.00 fee received by [Signature] # N019195 Date 4/28/08  
 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 0.02 AF and a maximum rate of diversion of 0.003 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 expires on 12/31/08.
  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.
  9. 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.
  10. Contact the DEPARTMENT OF WATER RESOURCES prior to diversion of water from streams.

DATED this 8 day of May, 2008.

[Signature]  
 For the Director

RECEIVED  
 APR 28 2008  
 IDWR/North

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION**

(5 AF of less)

Name of Applicant Larry E Domingo Phone m/509-624-8596

Address PO Box 48263 Spokane WA 99228-1263

1. Source of water E Fork Eagle Creek Drainage Tributary to Pritchard Creek  
NW 1/4 - SE 1/4 Sec 16

2. Location of point of diversion SW 1/4 SW 1/4 Sec. 17 Township 050N Range 005E B.M., 08  
County Shoshone NW 1/4 - NE 1/4 - 19  
NW 1/4 - NW 1/4 - 20  
NW 1/4 - NE 1/4 - 30

3. Location of place of use same as above 1/4 Sec. Township 050N, Range 005E B.M., 08  
County Shoshone

4. Proposed use of water On a limited basis, I plan to be mainly in the various creeks of the E. Fork Eagle Creek Drainage area where I'll be operating a small high-banker.

5. Amount of water:

Maximum rate of diversion \_\_\_\_\_ cfs or 1.5 ± gpm. est.  $1.5 \text{ gpm} \times 60 \text{ min} = 90 \text{ gphour}$

Maximum daily volume 270 gpd AF; Summer 20 day X 270 gpd  $270 \text{ gpd} \times 3 \text{ hr/day} = 270 \text{ gpd}$   
Total volume est. = 5,400 g. AF?

6. Duration of diversion: From a few days a month to June to October '08 maybe 14 to 20 days total through season  
Day-month Day-month

7. Proposed diverting works: pump water using 1/2" water pump 10 to 25' from creeks. Engine run at idle, Flow is restricted thru spraybar to operate small high banker.

8. Who owns the property at the requested point of diversion? BLM, Nat Forest, mining claims/leases

9. Describe the arrangement allowing access to the water permission by United States Dept of Agriculture, forest mining BLM mining claims guidelines.

10. Remarks Intake screen mesh measures .24 inch. A sediment catchment will be utilized when operating. No other water sources available. No access-right-of-way issues.

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.

4-25-08  
Date

Larry Domingo  
Applicant

RECEIVED  
APR 28 2008  
IDWR/North



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

DAVID R. TUTHILL, JR.  
Director

05/08/2008

LARRY E DOMINGO  
PO BOX 48263  
SPOKANE WA 99228-1263

RE: Temporary Permit No. TP-94-62

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-94-62.

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 black ink that reads "Robert G. Haynes". The signature is written in a cursive, flowing style.

Robert G. Haynes, P.E.  
Regional Manager

Enclosure



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Director

April 30, 2008

MARY TERRA BERNES  
IDAHO DEPARTMENT OF FISH & GAME  
2885 KATHLEEN AVE.  
COEUR D' ALENE, ID 83815

Re: Application For a Temporary Approval of a Water Appropriation

Dear MARY:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding an application to temporarily appropriate 0.12 acre-feet (5,400 gallons) of water from various creeks within the East Fork of Eagle Creek drainage, which is tributary to Pritchard Creek, by Larry E. Domingo for a high bank mining operation. A copy of the application is attached for your reference.

Would you please submit your comments no later than May 7, 2008? 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  
Water Resources Agent

Encl/kf

*No comments received.  
KD 5/8/08*

**FAXED**