

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources ("Department") has examined this application for temporary approval to use water under the provisions of Idaho Code § 42-202A and has determined that:

- ☐ A. The application for temporary approval should be denied because _____
- ☒ 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.
 5. If the temporary approval is within a water district, the Department has sought and considered the recommendations of the watermaster.


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 of the use of the water under this approval.
3. This approval authorizes a maximum diversion volume of 0.2 AF and a maximum rate of diversion of 0.08 cfs.
4. This approval does not grant a right-of-way across the land of another.
5. The Department may cancel or reduce the rate of flow or volume authorized by this approval. For example, the Department may cancel or reduce this approval if it concludes the water use is injuring other water rights or adversely affecting fish, wildlife or other public values.
6. The applicant shall not divert water when downstream minimum flow water rights are not being satisfied.
7. This approval does not create a continuing right to use water.
8. A temporary approval for ground water recharge or prevention of flood damage shall be an opportunistic use of surplus water and shall not interfere with the filling of surface water reservoirs.
9. For a temporary approval authorizing ground water recharge or ground water or surface water remediation, the applicant shall measure and record the weekly quantity of water diverted and report the diversion data to the Department upon request.
10. 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.
11. This temporary approval is not an authorization for the described water use to be used as mitigation or credit for any other purpose.
12. Direct discharge of waste water/slurry is not authorized under this approval.
13. A copy of the approved permit MUST be with pump when diverting.
14. Other: _____
15. This approval expires on 01 July 2021.

Signed this 28th day of July, 2020.


Adam Frederick, Water Right Supervisor



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N MINERAL DR STE 100 • COEUR D ALENE, ID 83815-7763
Phone: (208)762-2800 • Fax: (208)769-2819 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

July 28, 2020

HARRY AIKEN III
5616 S CRAIG RD
MEDICAL LAKE WA 99022-8545

RE: Application for Temporary Approval of Water Use: TP-94-201

Dear Applicant(s):

Your application for temporary water appropriation has been approved and is enclosed. The approval authorizes the temporary use of water and does not grant trespass or other activity on public land or on private property.

Please review the **conditions of approval on page 2 of the Application for Temporary Approval form** to understand the limitations associated with the temporary use of water.

This temporary approval **expires on** July 01, 2021. The expiration date cannot be extended under this temporary approval.

If you have any questions, please feel free to contact this office, and any of our agents will be able to assist you.

If you require additional information regarding this matter, please call me at (208) 762-2800 or email me at Luke.Bates@idwr.idaho.gov

Sincerely,

Luke Bates
Water Resource Agent.

Enclosure(s) Application

Bates, Luke

From: Bates, Luke
Sent: Tuesday, July 21, 2020 10:36 AM
To: 'Chantilly.Higbee@deq.idaho.gov'; 'merritt.horsmon@idfg.idaho.gov'
Subject: IDWR Temp Approval
Attachments: Harry L. Aiken III temp application.pdf

Dear Interested Agencies:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding an application to temporarily appropriate 0.2 acre-feet of water from Eagle Creek, for placer mining, by Harry L. Aiken III. A copy of the application is attached for your reference.

Would you please submit your comments no later than **July 28, 2020**. 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.

Please send comments to Luke Bates by FAX to 208-762-2819, or by e-mail to luke.bates@idwr.idaho.gov.

If you have any questions, don't hesitate to contact me at the Northern Region Office (208) 762-2800.

Thank you,

Luke Bates
Water Resource Agent
Idaho Dept. of Water Resources
Northern Regional Office
P: (208) 762-2800
F: (208) 762-2819
Luke.bates@idwr.idaho.gov

JUL 21 2020

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

IDWR / NORTH

APPLICATION FOR TEMPORARY APPROVAL OF WATER USE

For a use not intended to become an established water right and not to exceed one (1) year in duration in accordance with Idaho Code § 42-202A.

Name of applicant HARRY L. AIKEN III Phone (509)-638-9573
 Mailing address S. 5616 CRAIG RD City MEDICAL LAKE WA.
 State WA. Zip 99022 Email hbecker2@msn.com
 1. Source of water EAGLE CREEK tributary to PRITCHARD CREEK

2. Location of point(s) of diversion. If more than two, attach a Point of Diversion/Place of Use Supplement. ☐

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #
<u>50N</u>	<u>4E</u>	<u>26</u>		<u>SW</u>	<u>SW</u>		<u>SHOSHONE</u>	<u>EAGLE CREEK</u>	

3. Location of place of use. If more rows are needed, attach a Point of Diversion/Place of Use Supplement. ☐

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>50N</u>	<u>4E</u>	<u>26</u>											<u>X</u>				<u>X</u>		

4. Proposed use of water:

- a. ☐ Prevention of flood damage ☐ Ground water recharge ☐ Ground water or surface water remediation

☒ Other (Limited to a diverted volume of 5 acre-feet.) Describe: PLACER MINING

b. Attach a detailed description of how the proposal will accomplish the intended objective, such as prevention of flood damage.

5. Amount of water. Complete all three:

a. Maximum rate of diversion: _____ cfs; or 35 gpm.

b. Maximum daily volume: _____ AF; or 4,200 gallons.

c. Maximum volume over the duration of the request: _____ AF; or 67,200 gallons.

6. Duration of diversion: from 7/1/20 (month-day) to 7/1/20 (month-day).

7. Describe proposed diverting works: HIGH BANKER / DREDGE

8. a. Who owns the property at the requested point of diversion? EAGLE CITY MINING COMPANY, LTD

b. Who owns the facilities that will convey water to the place of use? APPLICANT

c. Who owns the land to be irrigated or place of use? EAGLE CITY MINING COMPANY, LTD

d. If any of the items above is owned by a person or entity other than the applicant, describe the arrangement allowing access and attach written evidence of the arrangement. MEMBER OF EAGLE CITY PARK

9. Attach an 8 1/2" x 11" map identifying the water source, point(s) of diversion, place(s) of use and conveyance system.

I hereby acknowledge that I assume all risk of the diversion and use of the water under this approval. I certify this is a temporary use and is not intended to become an established water right.

[Signature]
Signature of Applicant

Title, if any

7-19-20
Date

Received by

Date

Time

\$50.00 fee received by Ja

N036280

Date 7-21-2020

Watermaster comments received?

Date

Eagle City Park is privately owned and operated and is for the exclusive use of Eagle City Park Members and their guests. It is open to NWGPA members free of charge during outing days or \$20 per outing weekend to camp overnight. You are welcome to come and prospect at other times as long as the Daily Lease Fee of \$20 per family per day is paid. You must follow all the rules as posted and park on the left side of the driveway before the gate.

TOPOI map printed on 03/28/08 from "Untitled.tpo"

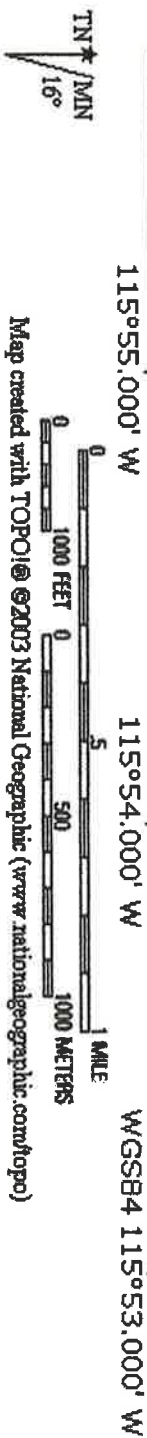
115°55.000' W

115°54.000' W

WGS84 115°53.000' W



47°39.000' N



Map created with TOPOI® ©2003 National Geographic (www.nationalgeographic.com/topo)

HARRY L. AIKEN III – TEMP APPROVAL FOR WATER USE APPLICATION MAP

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