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APR 08 2016

WATER RESOURCES
WESTERN REGION

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WATER RESOURCES

ID No. TP-63-219STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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: Robert R. Fritz Phone: 208-989-2655Mailing address: 24509 Hwy 19 City: WilderState Idaho ZIP 83676 Email: _____1. Source of water: Elk Creek tributary to Morse Creek2. Location of point(s) of diversion: RRF

TWP	RGE	SEC	GOVT LOT	$\frac{1}{2}$	$\frac{1}{4}$	$\frac{1}{4}$	County	Source	Local name or tag #
<u>T06N</u>	<u>R05E</u>	<u>1</u>		<u>E</u>	<u>NE</u>	<u>SW</u>	<u>Boise</u>	<u>Elk Creek</u>	<u>L600137</u>

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	
<u>06N</u>	<u>05E</u>	<u>1</u>																	

4. Describe proposed use of water High Banking

5. Amount of water:

Maximum rate of diversion _____ cfs or _____ gpm.

Maximum daily volume _____ AF; total volume 2.0 AF.6. Duration of diversion: from 05-01-2016 (day-month) to 01-October 2016 (day-month).7. Describe proposed diverting works: pump out of Creek to High Banker8. a. Who owns the property at the requested point of diversion? Idaho Department of Lands

b. Who owns the land to be irrigated or place of use? _____

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 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.

Signature of applicant Robert R. Fritz Date 4-8-16Received by AS Date 4/8/16 Time 11:00\$50.00 fee received by AS # W044042 Date 4/8/16Watermaster comments received? Plan Date 4/11/16

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 authorizes a maximum diversion of 2 AF and a maximum rate of diversion of 150 CFS or GPM.
 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. A 1/4 inch mesh screen shall be installed on the pump intake.
 9. Direct discharge of waste water/slurry into rivers, creeks, or streams is not authorized.
 10. All equipment involved with transporting water shall be treated/sterilized prior to use to avoid spread of invasive aquatic species and may require inspection. Contact the Idaho State Department of Agriculture (www.agri.idaho.gov) for specific recommendations at 208-332-8500 or by email to info@agri.idaho.gov.
 11. This temporary use of water remains subject to control of the Boise River Watermaster.
 12. This approval is subject to the availability of Boise River Rental Pool water to mitigate water losses and injury to existing water rights. This authorization will require the rental of 2 AF of water from the Boise River Rental Pool (2 AF minimum). Contact Boise River Watermaster, 208-908-5480.
 13. This approval expires on August 1st, 2016.

Signed this 11th day of April, 2016


For the Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 12, 2016

ROBERT FRITZ
24509 HWY 19
WILDER ID 83676

RE: Temporary Approval of Water Appropriations—TP-63-219

Dear Applicant:

Your application for Temporary Approval of Water Appropriation has been granted.


Please be advised, this permit is subject to the effective dates and conditions stated on page 2 of the application. Water sufficiency for senior water rights along with associated public values must be protected during summer-fall low flows. Elk Creek is the primary water source for Idaho City. Therefore the approval expires on **August 1, 2016**.

Also, note the condition requiring the **purchase of storage water from the Boise River Rental pool** to mitigate injury to downstream water right holders below Lucky Peak.

See the enclosed rental pool lease agreement to contact Boise River Watermaster Rex Barrie at 208-908-5480 for the required follow up before diverting water under this temporary approval.

If you have any questions concerning the enclosed information, please feel free to contact this office at 208-334-2190.

Sincerely,

 Nick Miller
Manager
Western Regional Office

Enclosures