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APR 06 2016

ID No. TP-63-217WATER RESOURCES  
WESTERN REGIONSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
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: Michael McCauley Phone: 801-755-8557  
 Mailing address: 365 Jasmine street City: West Valley City  
 State Utah ZIP 84120 Email: mccauley6755@msn.com

1. Source of water: Elk Creek Between Ross Fork&Eldorado gulch tributary to moris  
 2. Location of point(s) of diversion:

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #
7N	6E	19		NE	SE	SE	Boise	Elk Creek	
		19							

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	
7N	6E	19																	
		19																	

4. Describe proposed use of water water is to e used in exploring for auriferous gravels (above the MHWM) and not used for dredging . It s to be used to operate a high banker or a small wash plant in connection with placer mining.
5. Amount of water:  
 Maximum rate of diversion 1/10acre foot cfs or 100 gpm.  
 Maximum daily volume 1/10 AF; total volume 2 acre AF.
6. Duration of diversion: from 1st may (day-month) to 31 st October (day-month).
7. Describe proposed diverting works: An intake nozzle of 100 gallons a minute pump is paced in the stream
8. a. Who owns the property at the requested point of diversion? the property is claimed be Myself and Don Cushing  
 b. Who owns the land to be irrigated or place of use? B L M and Michal McCauley and Don Cushing  
 c. If the property is owned by a person other than the applicant, describe the arrangement allowing access to the water:  
Partners
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.

Michael McCauley  
 Signature of applicant

March 24/2016

Date

Received by AS Date 3/21/16 Time 12:10  
 \$50.00 fee receipted by AS # W043990 Date 3/21/16  
 Watermaster comments received? X 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.

X 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

X 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 100 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 ¼ 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](http://www.agri.idaho.gov)) for specific recommendations at 208-332-8500 or by email to [info@agri.idaho.gov](mailto: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 1, 2016.

Signed this 4<sup>th</sup> day of April, 2016

  
For the Director

**BOISE RIVER RENTAL POOL LEASE AGREEMENT**  
**FOR 20 16**

The Committee of Water District No. 63 being authorized pursuant to Idaho Code Section 42-1765 to lease stored water which has been provided to the Boise River Rental Pool by water users who own reservoir space and have excess supplies for the current year, does agree to sell \_\_\_\_\_ (entity), \_\_\_\_\_ A.F. of water requested for \_\_\_\_\_ (use). This agreement is subject to the adopted Rules and Regulations of the Boise River Rental Pool and execution of same by the party herein named.

Upon receipt of \$ \_\_\_\_\_ and the information requested below, the Boise River Watermaster will release to you from storage, at the rate you specify \_\_\_\_\_ A.F. of stored water between \_\_\_\_\_ and \_\_\_\_\_ of 20 \_\_\_\_.

Description of point of diversion:

Located in \_\_\_\_ 1/4 \_\_\_\_ 1/4, Sec. \_\_\_\_, T. \_\_\_\_, R. \_\_\_\_;  
Other: \_\_\_\_\_  
On Source: \_\_\_\_\_  
Pump H.P. \_\_\_\_\_ Lift \_\_\_\_\_  
Headgate \_\_\_\_\_ (canal name if appropriate)

Description of place of use:

Legal Description: \_\_\_\_\_  
Total number of acres irrigated \_\_\_\_\_  
Dated this \_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_.

\_\_\_\_\_  
(name)

\_\_\_\_\_  
(address)

State of Idaho                    )  
County of \_\_\_\_\_)

On this \_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_, before me the undersigned Notary Public in and for said county and state, personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I     have hereto set my hand and affixed my official seal, the day and year in this certificate first written.

\_\_\_\_\_  
Notary Public in and for Idaho  
Residing at: \_\_\_\_\_

I have accepted the request of \_\_\_\_\_ to purchase water from the Boise River Rental Pool this \_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_.

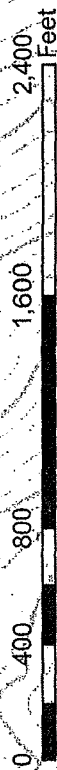
\_\_\_\_\_  
Watermaster, Water District No. 63  
Agent for the Committee of Water



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BLM-ID STATE OFFICE

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INFORMATION  
ACCESS CENTER



Gambornas Mining Dist.  
Boise County, ID 83400

T7, N R. 6 E

SECTIONS 19, 20

LOGAN'S BAR  
PLACER

19

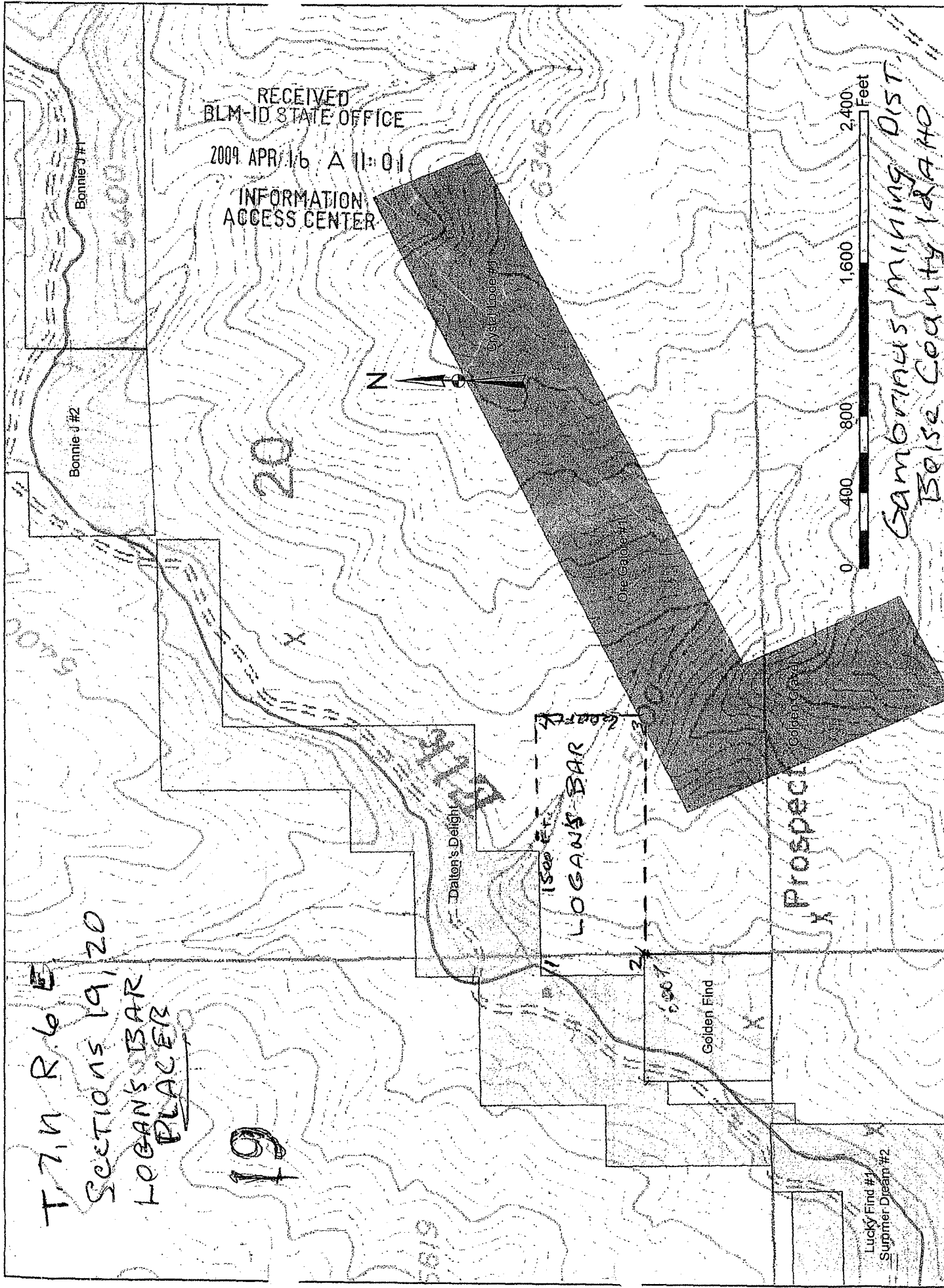
Dalton's Delight

LOGAN'S BAR

Golden Find

Prospect

Lucky Find #1  
Summer Dream #2





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](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

April 5, 2016

MICHAEL MCCAULEY  
365 JASMINE ST  
WEST VALLEY CITY UT 84120

### RE: Temporary Approval of Water Appropriations—TP-63-217

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