

Basin 94

ID No.

TP-94-169  
RECEIVEDSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

MAY 25 2016

## 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: Trenton L. Axtell Phone: 406-745-2293  
 Mailing address: P.O. Box 428 City: St. Ignatius  
 State Montana ZIP 59865 Email: bedrock-au@yahoo.com  
 1. Source of water: Toboggan Creek tributary to Eagle Creek  
 2. Location of point(s) of diversion:

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #
50N	5E	22			SE	SE	Shoshone	Toboggan Cr.	

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	
50N	5E	22																M	
50N	5E	22													M				

4. Describe proposed use of water Mining Claim (Placer) Hi Banking Material  
80 ft to 100 ft. from Creek. Excavating out Old Drift  
Sluicing material as removed.  
 5. Amount of water:  
 Maximum rate of diversion 0.10 cfs or \_\_\_\_\_ gpm.  
 Maximum daily volume \_\_\_\_\_ AF; total volume .05 AF.  
 6. Duration of diversion: from 07-01-16 (day-month) to 08-31-16 (day-month).  
 7. Describe proposed diverting works: Gas powered Pump/Submerged intake Line  
 8. a. Who owns the property at the requested point of diversion? U.S. Forest Service  
 b. Who owns the land to be irrigated or place of use? U.S. Forest Service  
 c. If the property is owned by a person other than the applicant, describe the arrangement allowing access to the water:

9. Additional remarks: Using a small 1 inch suction / 1 1/4" Exhaust.  
Anticipate operating equipment for 3 to 5 days  
during specified period above.

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.

Trenton L. Axtell  
 Signature of applicant

5-13-16  
 Date

Received by db Date 5/13/16 Time \_\_\_\_\_  
 \$50.00 fee received by db # N031903 Date 5/13/16  
 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 0.05 AF and a maximum rate of diversion of 0.10 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 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. 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.
  9. The Idaho Department of Fish & Game (IDFG) now requires a Special Use Permit if their property is to be used for a point of diversion. IDFG contact in Coeur d'Alene ~ 208-769-1414, and in Lewiston ~ 208-799-5010.
  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 e-mail to [info@agri.idaho.gov](mailto:info@agri.idaho.gov).
  11. Direct discharge of waste water slurry into rivers, creek, or streams is not authorized.
  12. This approval expires on 8/31, 2016.

Signed this 23 day of May, 2016.

Morgan Case  
Manager, Northern Region  
For the Director





State of Idaho

## DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815-7763  
Phone: (208) 762-2800 • Fax: (208) 762-2819 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

May 16, 2016

KIIRA SIITARI  
IDAHO DEPARTMENT OF FISH & GAME  
2885 KATHLEEN AVE  
COEUR D' ALENE, ID 83815

Re: Application for a Temporary Approval of Water Appropriation

Dear Kiira:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding an application to temporarily appropriate 0.05 acre-feet of water from Toboggan Creek for mining purposes, by Trenton L. Axtell. A copy of the application is attached for your reference.

Would you please submit your comments no later than May 23, 2016? 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 send comments by regular mail to the above address, by FAX to 208-762-2819 or by e-mail to [adam.frederick@idwr.idaho.gov](mailto:adam.frederick@idwr.idaho.gov).

If you have any questions, don't hesitate to contact me at this office.

Thank you.

Sincerely,

Adam Frederick  
Senior Water Resource Agent

Encl/af

## Frederick, Adam

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**From:** Frederick, Adam  
**Sent:** Monday, May 16, 2016 7:51 AM  
**To:** 'Siitari,Kiira'  
**Subject:** Temporary Water Appropriation  
**Attachments:** Temporary Trenton Axtell.pdf

Kiira,  
Attached for your review and comment, please find an application to temporarily appropriate 0.05 acre feet of water from Toboggan Creek for mining purposes by Trenton L. Axtell. If you have any questions, don't hesitate to give me a call.

Thanks,  
Adam

Adam Frederick  
Senior Water Resource Agent  
Idaho Department of Water Resources  
Northern Regional Office  
Phone 208-762-2800

RECEIVED

MAY 25 2016

DEPARTMENT OF  
WATER RESOURCES



State of Idaho

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Phone: (208) 762-2800 FAX: (208) 762-2819 [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

May 23, 2016

TRENTON L AXTELL  
PO BOX 428  
ST IGNATIUS MT 59865

RE: Temporary Permit No. TP-94-169

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-94-169.

Please be advised that THE PERMIT IS SUBJECT TO THE EFFECTIVE DATES AND CONDITIONS STATED ON PAGE TWO OF THE APPLICATION.

The Idaho Department of Fish & Game (IDFG) now requires a Special Use Permit if their property is to be used for a point of diversion.

To contact IDFG in Coeur d'Alene, call 208-769-1414; and in Lewiston, call 208-799-5010.

If you have any questions, or if this office can be of further assistance, please contact us.

Sincerely,

A handwritten signature in blue ink that reads "Morgan Case". The signature is written in a cursive, flowing style.

Morgan Case  
Northern Regional Manager

Enclosure Copy of TP-94-169