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ID No. TP-63103

JUN 01 2015

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESWATER RESOURCES
WESTERN REGION

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: Tracy Durstler Phone: 208 317-0070
 Mailing address: 2688 East 97th North City: Idaho Falls
 State Idaho ZIP 83401 Email: STraight100@msn.com
 1. Source of water: middle fork Boise river tributary to Boise River
 2. Location of point(s) of diversion:

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #
5N	9E	647	SW6	NW7			Elmore	middle fork Boise River	IMC 189435
6N	9E	25126	NE	NW			Elmore	middle fork Boise river	IMC 189436

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	
5N	9E	647																	
6N	9E	25126																	

4. Describe proposed use of water high banker and small Trummell operation (2yd max per hour)
5. Amount of water:
 Maximum rate of diversion _____ cfs or 125 gpm.
 Maximum daily volume _____ AF; total volume 5 AF.
6. Duration of diversion: from June 23 (day-month) to Nov 1 (day-month).
7. Describe proposed diverting works: 2" pump to banker or Trummell
8. a. Who owns the property at the requested point of diversion? National forest managed
 b. Who owns the land to be irrigated or place of use? BLM National forest managed
 c. If the property is owned by a person other than the applicant, describe the arrangement allowing access to the water:
working private claims on national forest
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

Date

Received by

Date

Time

\$50.00 fee received by

#

Date

Watermaster comments received?

Date



FOREST

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Map/Photo Info

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SGS Topo Maps

:24K/25K Series

:100K Series

JK Series

Map Size

Small

Medium

Large

View Scale

1 : 50,000

Update Map

Coordinate Format

UTM

Coordinate Datum

WGS84/NAD83

Show target

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myTopo.com

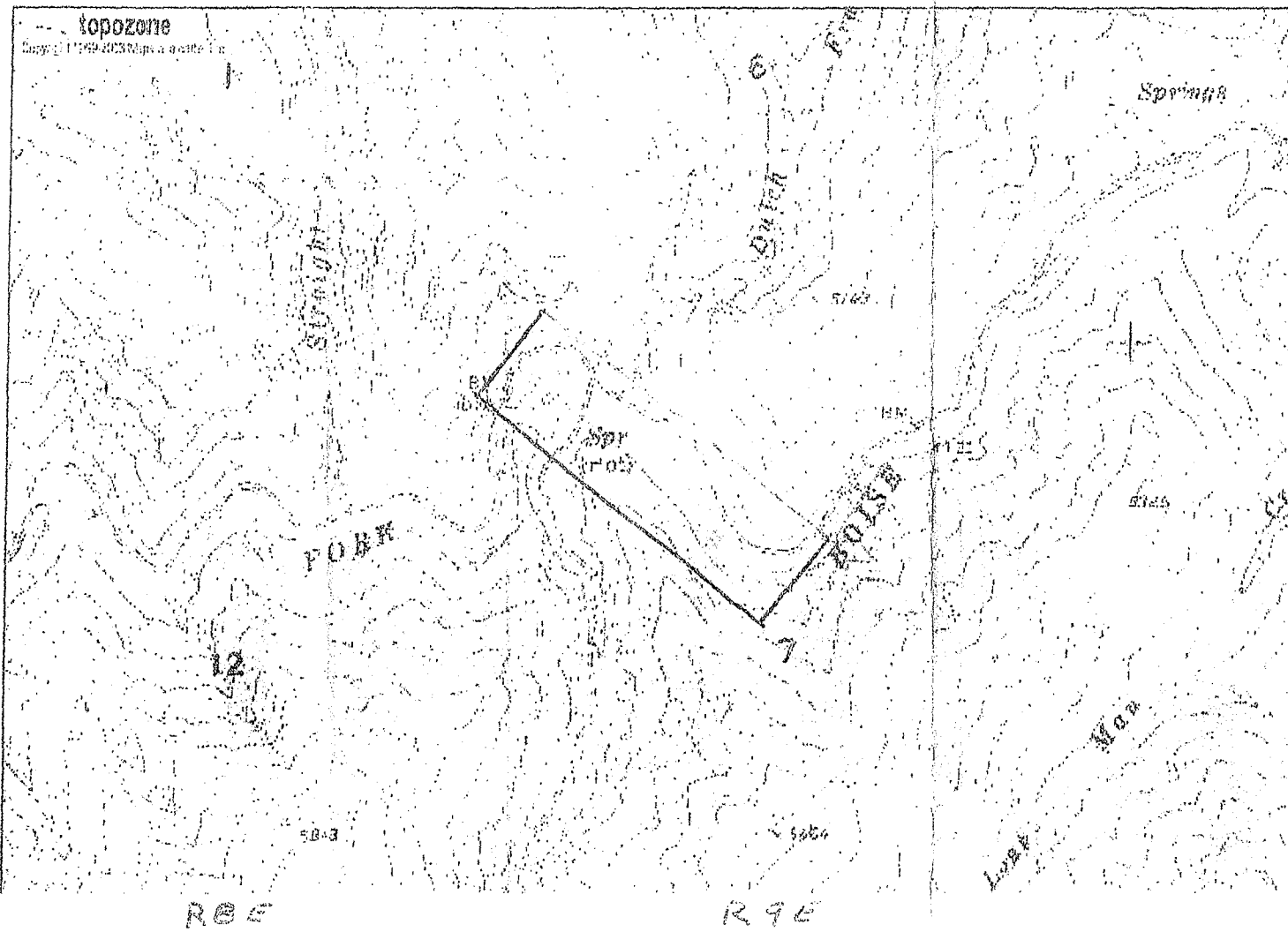


UTM 11 626100E 4849381N (WGS84/NAD83)

USGS Grand Mountain Quad

View TopoZone Pro aerial photos, shaded relief, street maps, interactive coordinate display, and elevation

INFORMATION
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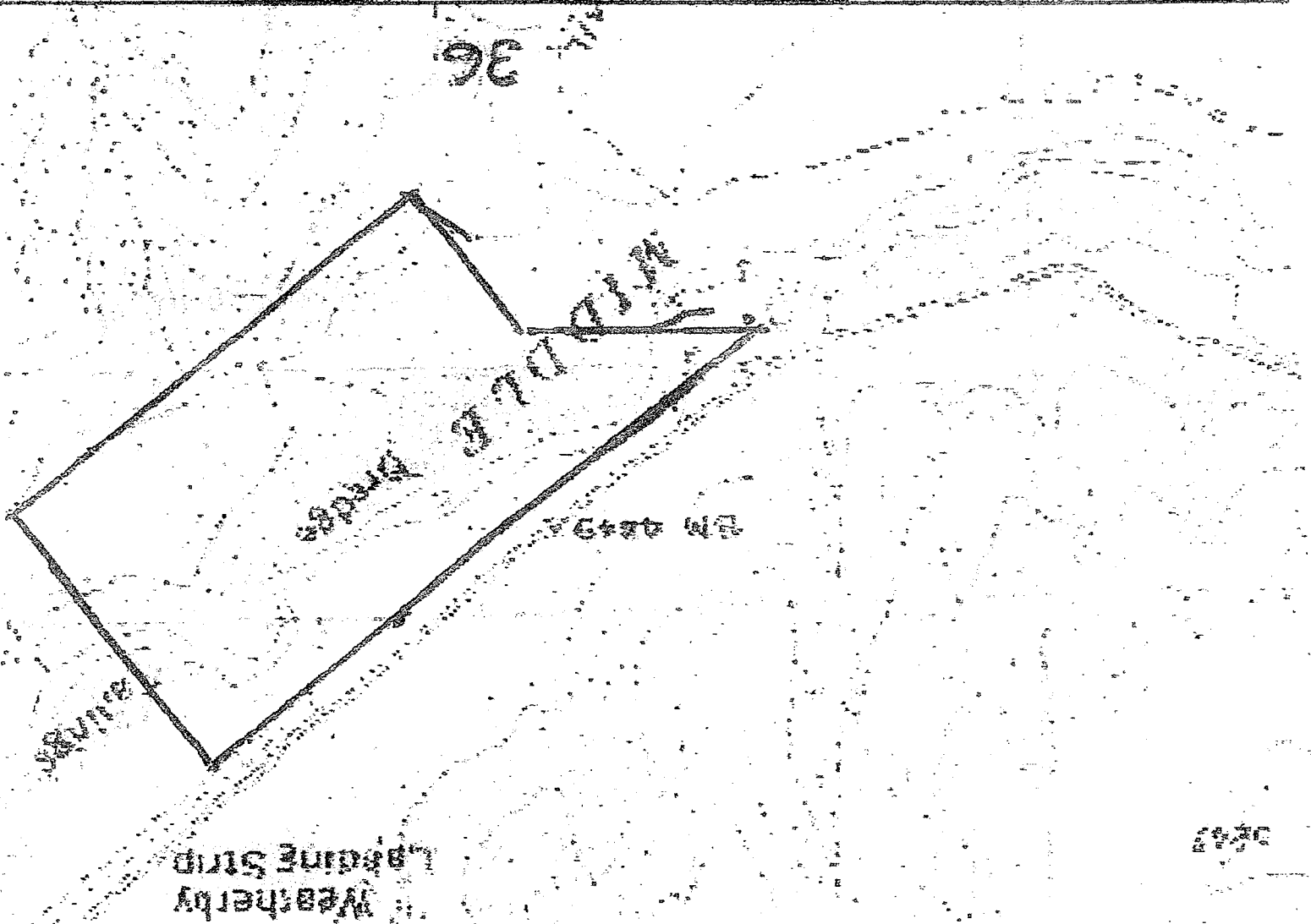
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ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

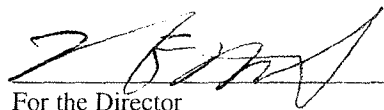
This is to certify that the department has examined this application for temporary approval to use water under the provisions of Section 42-202a, Idaho Code, and has determined that:

- ☐ 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 5 AF and a maximum rate of diversion of 125 CFS of 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) 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 5 AF of water from the Boise River Rental Pool (2 AF minimum). Contact Boise River Watermaster, 208-908-5480.
 13. This approval expires on 11/1/2015 

Signed this 3rd day of June, 20 15


For the Director

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

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



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

June 4, 2015

TRACY DURSTELER
2688 E 97TH NORTH
IDAHO FALLS ID 83401

RE: Temporary Permit No. TP-63-103

Dear Applicant,

Your application for Temporary Water Appropriation has been approved and is enclosed.

Please be advised the approval only authorizes the temporary use of water. It does not grant trespass or other activity on public land or on private property.

Please note the conditions of approval to understand the limitations associated with the temporary use of water. The expiration date cannot be extended under this temporary approval.

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 regarding this matter, please call me at 208-334-2190.

Sincerely,

Nick Miller
Western Region Manager

Enclosure