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APR 08 2015 ID No. TP-63-199

MAR 31 2015

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

DEPT 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: Don Milbourn Phone: 1-208-250-4258
 Mailing address: 2411 Aaron Dr. City: Nampa
 State Idaho ZIP 83686 Email: valleyauto@cableone.net

1. Source of water: Willow Creek tributary to Boise river drainage
 2. Location of point(s) of diversion:

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #
6N	5E	17		SW	SE	SE	boise	Willow Creek	L60016

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	
6N	5E	17																X	

4. Describe proposed use of water water is to be used in exploring for auriferous gravels (above the MHWM) and is not use for dredging . It is to be used to operate a small wash plant in connection with placer mining permit .
5. Amount of water:
 Maximum rate of diversion 1/20 cfs or 50 gpm.
 Maximum daily volume 1/100 AF; total volume 1/20 AF.
6. Duration of diversion: from may 1t2015 (day-month) to October 31 2015 (day-month).
7. Describe proposed diverting works: 50 gal a minunte pump used two to three hours a day
8. a. Who owns the property at the requested point of diversion? Sate Of Idaho
 b. Who owns the land to be irrigated or place of use? state of Idaho leased be myself Don Milbourn
 c. If the property is owned by a person other than the applicant, describe the arrangement allowing access to the water:
water is to be rented from the Boise river rental pool ,water District No 63
9. Additional remarks: The water is to be held in a holding pond filtered and returned to the aquifer (not the stream) by natural means . no chemicals will be used !

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.

Don Milbourn
 Signature of applicant

3-29-2015
 Date

Received by Brenda Seaman Date 3/31/2015 Time 12:53pm
 \$50.00 fee receipted by Brenda Seaman # W042965 Date 3/31/2015
 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 authorizes a maximum diversion of 2.0 AF and a maximum rate of diversion of 50 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) 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 2.0 AF of water from the Boise River Rental Pool (2 AF minimum). Contact Boise River Watermaster, 208-908-5480.
 13. This approval expires on 10/31/15. **ELK CREEK. = August 1**

Signed this 2nd day of April, 2015


For the Director



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POINT OF USE

X

**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

April 6, 2015

DON MILBOURN
2411 AARON DR
NAMPA ID 83686

RE: Temporary Permit No. TP-63-199

Dear Applicant(s):

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,


Jeff Peppersack
Interim Manager, Western Region

Enclosure