

RECEIVED

MAR 27 2015

WATER RESOURCES  
WESTERN REGIONSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESREC VED  
APR 08 2015  
DEPT OF WATER RESOURCES

ID No. TP-63-202

## 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: Pete Peperakis Phone: 801-707-7977  
 Mailing address: 12063 South 3280 West City: Riverton  
 State UT ZIP 84065 Email: pgpeperakis@gmail.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 #
0060N	0090E	25,30,36					Elmore	Boise River	Wishfull #3
0060N	0100E	30					Elmore	Boise River	Wishfull #4

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	
0060N	0090E	25,36																	3
0060N	0100E	30																	1

4. Describe proposed use of water Operat Power Sluice

5. Amount of water:

Maximum rate of diversion \_\_\_\_\_ cfs or 151 gpm.

Maximum daily volume \_\_\_\_\_ AF; total volume 5 AF.

6. Duration of diversion: from 01 May, 2015 (day-month) to 30 Oct, 2015 (day-month).

7. Describe proposed diverting works: Water from power sluice to temp holding pond

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

c. If the property is owned by a person other than the applicant, describe the arrangement allowing access to the water:  
Placer mining claim holder

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.

Pete Peperakis 03/23/2015  
 Signature of applicant Date

Received by AS Date 3/27/15 Time 10:45  
 \$50.00 fee received by AS # W042945 Date 3/27/15  
 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 5.0 AF and a maximum rate of diversion of 151 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](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 5.0 AF of water from the Boise River Rental Pool (2 AF minimum). Contact Boise River Watermaster, 208-908-5480.
  13. This approval expires on 10/30/15. **ELK CREEK. = August 1**

Signed this 3<sup>rd</sup> day of April, 20      

  
For the Director



**Peppersack, Jeff**

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**To:** pgpeperakis@gmail.com  
**Subject:** Application for Temporary Water Appropriation

Mr. Peperakis

I am reviewing your application and found that additional information is required to complete processing. Can you provide documentation showing your authorization for activity on BLM/USFS land? Also, a map of the intended point of diversion and place of use is necessary to clarify your location. Once you submit the required information, I can complete the review.

Thanks,  
Jeff Peppersack  
Water Allocation Bureau Chief  
208-334-2190

See Odis Duncan  
application

Same claim + map

JP 4/3/15

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

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

April 6, 2015

PETE PEPERAKIS  
12063 SOUTH 3280 WEST  
RIVERTON UT 84065

**RE: Temporary Permit No. TP-63-202**

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,

A handwritten signature in black ink, appearing to read 'Jeff Peppersack'.

Jeff Peppersack  
Interim Manager, Western Region

Enclosure