

TP-94-46

Received by cm Date 6-29-06 Time 12:20 p

\$50.00 fee received by cm # NO17713 Date 6-29-06

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 5 AF and a maximum rate of diversion of 0.11 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 expires on 12-31-06.
 7. This approval does not create a continuing right to use water.
 8. 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 vaules.
 9. Other: 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.
 10. Contact the DEPARTMENT OF WATER RESOURCES prior to diversion of water from streams.

DATED this 11 day of July, 2006.

Robert G Haynes
For the Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

07/11/2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

FLOYD DEAVER
15349 ST JOE RIVER RD #A
ST MARIES ID 83861

RE: Temporary Permit No. TP-94-46

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-94-46 .

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

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

Sincerely,

A handwritten signature in black ink that reads "Robert G. Haynes". The signature is written in a cursive style.

Robert G. Haynes, P.E.
Regional Manager

Enclosure Temporary Water Appropriation Permit



State of Idaho

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JAMES E. RISCH
Governor

KARL J. DREHER
Director

June 29, 2006

MARY TERRA BERNS
IDAHO DEPARTMENT OF FISH & GAME
2750 KATHLEEN AVE.
COEUR D' ALENE, ID 83815

Re: Application For a Temporary Approval of a Water Appropriation

Dear MARY:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding an application to temporarily appropriate 5.0 acre-feet of water out of Tributary Creek, which I believe is tributary to the East Fork of Eagle Creek, by Floyd W. Deaver for a sluice box mining operation. A copy of the application is attached for your reference.

Would you please submit your comments no later than July 10, 2006? 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 may send comments by regular mail to the address above, by FAX to 769-1454 or by e-mail to keith.franklin@idwr.idaho.gov.

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

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Keith E. Franklin".

Keith E. Franklin
Water Resources Agent

Encl/kf

No response,
7/14/06.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION
(5 AF of less)

Name of Applicant Floyd W. Deaven Phone 208 651 1823

Address 15349 St. Joe River Rd #A St. Maries, ID 83861

1. Source of water Tributary Cr. Tributary to East Fork Eagle Creek

2. Location of point of diversion Varies 1/4 1/4 Sec. 19 Township 50N, Range 5E B.M.,
County Shoshone

3. Location of place of use _____ 1/4 _____ 1/4 Sec. 19 Township 50N, Range 5E B.M.,
County Shoshone

4. Proposed use of water Sluice Box

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5. Amount of water:

Maximum rate of diversion _____ cfs or 50 gpm.

Maximum daily volume _____ AF; Total volume 5 AF.

6. Duration of diversion: From 1/7/06 to 1/3
Day-month Day-month

7. Proposed diverting works Pump + pipeline

8. Who owns the property at the requested point of diversion? GPA Claims Club

9. Describe the arrangement allowing access to the water Club membership

10. 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.

Date 1/29/06

Applicant Floyd W. Deaven

