

RECEIVED

JUL 13 2015

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT 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: Robert Strehel Phone: 801-540-0692
 Mailing address: 3211 Fernwood Dr. City: LAYTON
 State Utah ZIP 84040 Email: DKPerk@msn.com
 1. Source of water: ELK Creek tributary to Morris 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 #
06N	05E	1			SE	NW	BOISE	ELK Creek	

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	
06N	05E	1	SE 1/4							1/4									

4. Describe proposed use of water HIGH BANKING 1 1/2 INC. HOSE W/ 5 HP
Pump to high banker

5. Amount of water:

Maximum rate of diversion 3600 ^{gpm} cfs or 460030 gpm.Maximum daily volume 28600 gpl AF; total volume 5 AC AF.6. Duration of diversion: from 1 JAN (day-month) to 31 Dec (day-month).7. Describe proposed diverting works: see above8. a. Who owns the property at the requested point of diversion? IDAHO DEPT OF LANDSb. Who owns the land to be irrigated or place of use? IDAHO DEPT OF LANDS

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

applicant has lease from ID dept of lands.

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 Robert P. StrehelDate 13 July 2015

Received by RN Date 7/13/15 Time 12:30
 \$50.00 fee received by RN # W043284 Date 7/13/15
 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.

X 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

X 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 3600 CFS or 6-PH 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) 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 08/01/2015. ELK CREEK. = August 1

Signed this 13th day of July, 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

07/13/2015

ROBERT STREBEL
3211 FERNWOOD DR.
LAYTON UT 84040

RE: Temporary Approval of Water Appropriations—TP-63-209

Dear Applicant:

Your application for Temporary Approval of Water Appropriation has been granted.

Please be advised, this permit is subject to the effective dates and conditions stated on page 2 of the application. Water sufficiency for senior water rights along with associated public values must be protected during summer-fall low flows. Elk Creek is the primary water source for Idaho City. Therefore the approval expires on **August 1, 2015**.

Also, note the condition requiring the **purchase of storage water from the Boise River Rental pool** to mitigate injury to downstream water right holders below Lucky Peak.

Should you have questions, please contact me at the Western Regional Office at 208-334-2190.

Sincerely,

Nick Miller
Western Regional Manager

Enclosure