

JUL 02 2015

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

WATER 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: Robert D. Breckway Phone: 801-243-1956
Address: 153 E. 200S #12 Farming fork Utah 84025 Email: RDBJUL@comcast.net

1. Source of water: Rock Creek tributary to SF Payette River

2. Location of point(s) of diversion:

Table with columns: TWP, RGE, SEC, GOVT LOT, 1/4, 1/4, 1/4, County, Source, Local name or tag #. Handwritten entries: 8N 7E 17, Borse, Rock Creek.

3. Location of place of use:

Table with columns: TWP, RGE, SEC, NE, NW, SW, SE, NE, NW, SW, SE, NE, NW, SW, SE, NE, NW, SW, SE, Totals. Handwritten entries: 8N 7E 17, X, X.

4. Describe proposed use of water: mining - Highbanking

5. Amount of water:

Maximum rate of diversion: 411 cfs or 200 minus gpm.
Maximum daily volume: AF; total volume: AF.

6. Duration of diversion: from 7-15 2-7 to 30-9
Day-month Day-month

7. Describe proposed diverting works: Pump 5 hp

8. a. Who owns the property at the requested point of diversion? Forest Service

b. Who owns the land to be irrigated or place of use? Forest Service

c. If the property is owned by a person other than the applicant, describe the arrangement allowing access to the water: Own 2 Claims

9. Additional remarks: Water will be run through Highbanker then back in to Streambank gravel

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: [Signature] Date: 7-2-15

Received by: [Signature] Date: 7/2/15 Time: 11:55
\$50.00 fee received by: [Signature] # W043248 Date: 7/2/15
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 2 AF and a maximum rate of diversion of 200 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 Payette River Watermaster.
 12. This approval is subject to the availability of Payette River Rental Pool water to mitigate water losses and injury to existing water rights. This authorization will require the rental of 2 AF of water from the Payette River Rental Pool (2 AF minimum). Contact Payette River Watermaster, 208-642-4465.
 13. This approval expires on 9/30/2015.

Signed this 6th day of July, 2015



For the Director



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

July 6, 2015

ROBERT D BUCKWAY
153 E 200 S #12
FARMINGTON UT 84025

RE: Temporary Permit No. TP-65-42

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 Payette River Watermaster Ron Shurtleff at 208-642-4465 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,

sv Nick Miller
Western Regional Office Manager

Enclosure