

MAR 26 2014

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESWATER 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: Mark Cada Phone: 208-659-8238
 Mailing address: 9773 W Bigwood Dr B City: Boise
 State ID ZIP 83709 Email: MarkCada@yahoo.com
 1. Source of water: Larger Beer Creek, Elk Creek tributary to Moore's 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 #
<u>6N</u>	<u>5E</u>	<u>1</u>		<u>NE</u>	<u>NW</u>		<u>Boise</u>		
<u>6N</u>	<u>5E</u>	<u>1</u>		<u>SW</u>	<u>NE</u>		<u>Boise</u>		

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	
<u>6N</u>	<u>5E</u>	<u>1</u>		<u>X</u>															
<u>6N</u>	<u>5E</u>	<u>1</u>									<u>X</u>								

4. Describe proposed use of water _____

5. Amount of water:

Maximum rate of diversion _____ cfs or 50 gpm.Maximum daily volume _____ AF; total volume 2 AF.6. Duration of diversion: from April 1 (day-month) to Nov 30 (day-month).7. Describe proposed diverting works: Highbanker above high waterline - Max 2" hose8. a. Who owns the property at the requested point of diversion? State of Idahob. Who owns the land to be irrigated or place of use? State of Idaho

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

Bonded and approved by Idaho Dept of Lands

9. Additional remarks:

Most of our deposits are 50' to 350' from streams

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 Mark CadaDate 3-26-2014Received by CWDate 3/27/14Time 12:05\$50.00 fee receipted by CW# W04953Date 3/27/14

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 approved, since

The temporary approval can be properly administered—no comments were received from other water right

1. Other water sources are not readily available.
2. The approval is in the public interest—reclamation of patented lands previously dredged
3. 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 2.0 AF and a maximum rate of diversion of 50 cfs/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 expires on August 1, 2014.
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 values. At no time shall this diversion exceed 25% of the total creek flow.
9. ¼ inch mesh screen shall be installed on the pump intake
10. Direct discharge of waste water/slurry into rivers, creeks, or streams is not authorized.
11. The water use approved herein is subject to and shall conform to the terms of the Forest Service approved Plan of Operations and /or required authorizations for this location.
12. This approval is subject to the availability of Boise River Rental Pool water to mitigate water losses and injury to existing river water rights. This authorization will require the rental of 2.0 acre foot of water from the Boise River Rental Pool, (2 acre foot minimum). Contact: Rex Barrie, Boise River Watermaster, phone 208-908-5480.
13. The Department reserves the right to cancel this appropriation due to water quality degradation or lack of sufficient water flow for downstream water rights and public values relating to Elk Creek and tributaries.

DATED this 1st day of April, 2014.

John Weston, Manager
For the Director

March 26, 2014.

Temp. Water appropriation

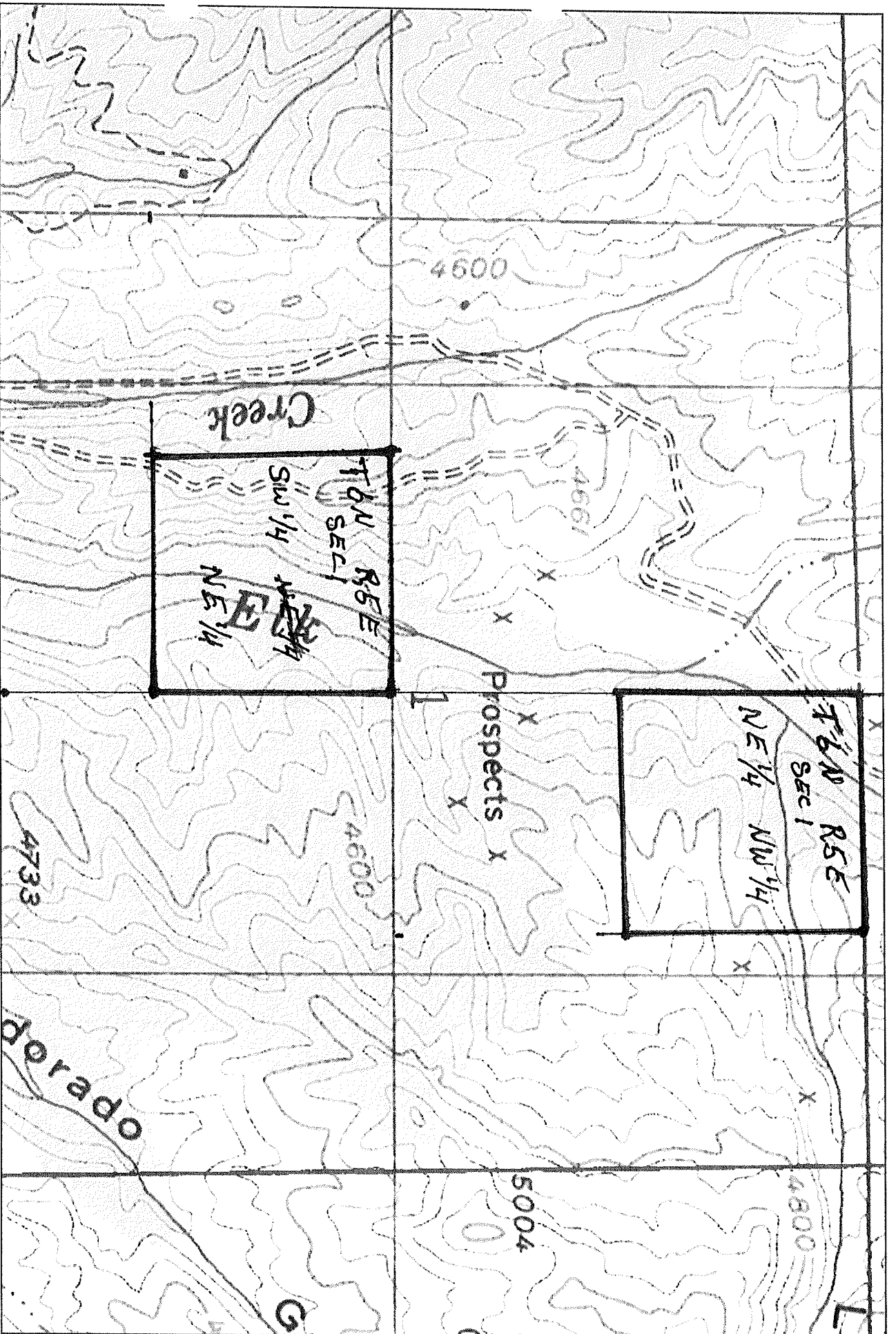
Our ore deposits are normally 50 feet to over 300 feet from the stream. The organic and overburden materials are removed. The gravels and water that go through the highbanker are temporarily stored in a natural swale and then returned to the test hole, the overburden and organics are replaced, and area is seeded with Granite Seed Company certified weed free grass seed.

None of the water we use flows back to the stream, but soaks back into the ground water.

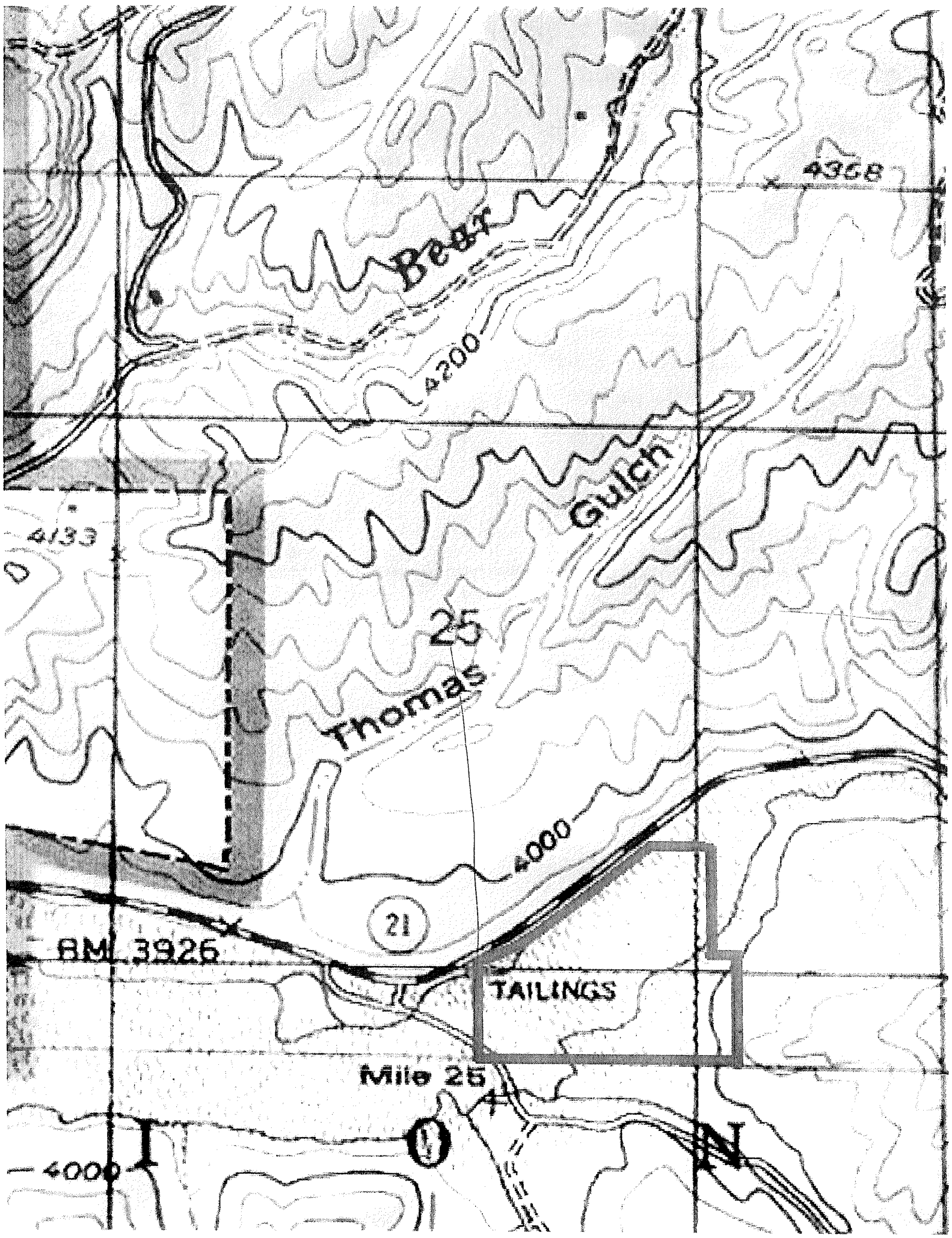
Our State Exploratory Leases in this area are L600096, L600097, L600099 and L600105, L600106, and L600107.

We are bonded and approved through the Idaho dept. of Lands.

Mark Cada



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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

January 3, 2014

Dan Cada
1209 Park Drive
Weiser ID 83672

Mark Cada
9773 W Bigwood Dr
Boise ID 83709

RE: Temporary Approval of Water Appropriations—TP-63-165 & TP-63-166

Dear Applicant:

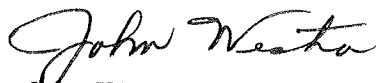
Your application for Temporary Approval of Water Appropriation has been granted.

Please be advised, this permit is subject to the effective dates and conditions stated on page 2 of the application. I would draw your attention to condition #6 in which the approval expires on August 1, 2014. 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.

Also, note condition #12 which requires 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, phone 208-334-2190.

Sincerely,



John Westra, Manager

Enclosure: application, Boise rental pool agreement.