

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

ID No. ~~TP-63-177~~  
TP-63-177

## 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: Mike Meyer Phone: 208-949-1190  
Mailing address: Box 1031 City: Ida. City  
State Ida ZIP 83631 Email: \_\_\_\_\_

1. Source of water: Elk Cr. tributary to GRIMES Cr.  
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>T6W</u>	<u>ROSE</u>	<u>1</u>					<u>BORSE</u>		<u>Highlander</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>RSE</u>	<u>1</u>	<u>1/2</u>		<u>1/4</u>														

4. Describe proposed use of water Prospecting  
\_\_\_\_\_  
\_\_\_\_\_

5. Amount of water:

Maximum rate of diversion \_\_\_\_\_ cfs or 350 gpm.

Maximum daily volume \_\_\_\_\_ AF; total volume 2 AF.

6. Duration of diversion: from 1-5- (day-month) to 10-1 (day-month).

7. Describe proposed diverting works: TO High Bank

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

b. Who owns the land to be irrigated or place of use? \_\_\_\_\_

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

Forest Service

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.

Mike Meyer  
Signature of applicant

4-28-14  
Date

Received by CDute Date 4/28/14 Time 1:46  
\$50.00 fee received by CDute # W042059 Date 4/28/14  
Watermaster comments received? \_\_\_\_\_ Date \_\_\_\_\_



STATE OF IDAHO  
DEPARTMENT OF LANDS  
LAND EXPLORATION LOCATION

CERTIFICATE NO. \_\_\_\_\_

Notice is hereby given that \_\_\_\_\_  
(name)  
of \_\_\_\_\_  
(address, city, state, zip code)  
\_\_\_\_\_  
(telephone number)

The undersigned citizen of the United States of America, conforming to the mining laws of the State of Idaho, and in particular Idaho Code § 47-703, and the local rules, regulations and customs of miners, have located 20 acres of mining ground, described as follows:

SECTION 1 TOWNSHIP 6N RANGE R5E, B.M.

Legal Subdivision: E 1/2 NE 1/4 SW 1/4

in the COUNTY OF BOISE, STATE OF IDAHO.

Discovered on the \_\_\_\_\_ day of AUGUST, 20 11 A.D.

\_\_\_\_\_  
Locator's Signature

THIS NOTICE TO BE FILED WITH:

IDAHO DEPARTMENT OF LANDS  
Bureau of Surface and Mineral Resources  
300 N 6<sup>th</sup> Street, Suite 103  
PO Box 83720  
Boise, Idaho 83720-0050

FILING FEES: \$100.00 Per Location Notice

Recorded with the Idaho Department of Lands on the \_\_\_\_\_ of \_\_\_\_\_, 20\_\_\_\_

Expiration date: The \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

SEE REVERSE SIDE FOR EXPLORATION CONDITIONS,  
REQUIRED NOTARY STATEMENT AND INSTRUCTIONS

## 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:

X 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.

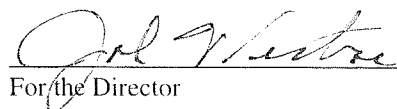
**This application is therefore hereby:**

       a) DENIED

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 approval authorizes a maximum diversion of 2.0 AF and a maximum rate of diversion of 350 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 to protect Elk Creek senior water rights and public values.
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 State of Idaho 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, lack of sufficient water flow for senior water rights or public values relating to Elk Creek.

DATED this 2<sup>nd</sup> day of May, 2014.

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

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

May 2, 2014

Mike Meyers  
Box 1031  
Idaho City ID 83631

### **RE: Temporary Approval of Water Appropriations—TP-63-177**

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,

A handwritten signature in cursive script that reads "John Westra". The signature is written in dark ink and is positioned above the printed name of the signatory.

John Westra, Manager

Enclosure: application, Boise rental pool agreement.

**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