

RECEIVED

ID No. TP-65-30STATE OF IDAHO
MAR 15 2013 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: Lester C. Stephens and Rhonda N. Egusquiza Phone: 541-201-8876Address: 267 NW 8th Avenue Ontario, Oregon 97914 Email: atvescape@yahoo.com1. Source of water: Intermittent Snow Melt, Seasonal Springs tributary to Intermittent Stream Cottonwood Creek

2. Location of point(s) of diversion:

TWP	RGE	SEC	GOVT LOT	¼	¼	¼	County	Source	Local name or tag #
11N	2E	9	-	NE	-	-	GEM	Seasonal Intermittent	Little Cottonwood
11N	2E	9	-	NE	-	-	GEM	Seasonal Intermittent	Little Cottonwood

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	
11N	2E	9	450	-	-	-	100												4,600

4. Describe proposed use of water Will use screens to prevent aquatic life entering draft tube of 2" Water Pump or Gravity flow 4" pipe to supply water to UPLAND Prospecting and Exploration for Gold and or Silver. All Activities will be done UPLAND along with aluvial and waste water dishcharge upland away from source erosion control Recreational Use.

5. Amount of water:

Maximum rate of diversion 2" Pump Draft cfs or 14.17 gpm.Maximum daily volume 3,400 AF; total volume Various AF.6. Duration of diversion: from (Via 2" Pump) April 01, 2013 to October 31, 2013
Day-month Day-month7. Describe proposed diverting works: Draft Screen Hose placed into intermittent pools and pumped to Trommel, HiBanker8. a. Who owns the property at the requested point of diversion? United States Public, I have first rights recorded Gem Cntyb. Who owns the land to be irrigated or place of use? United States Publicc. If the property is owned by a person other than the applicant, describe the arrangement allowing access to the water:
NOI to USFS, File of First Person Holding Rights of Metals, etc. per law Gem County Idaho9. Additional remarks: Water will be pumped via 2" pump to a 1 1/2" feed for 10" Wash Trommel and Hi BankWasher for use in Prospecting and Exploration toward Mine Mill Claim and Mine Extraction Claims. Currently Recreational Prospecting to locate materials of value to support claim ability in search of Gold&Silver UPLAND USE/DISHCHARG

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 Lester C. Stephens Rhonda N. Egusquiza Date 03-13-13Received by JA Date 3/15/2013 Time 2:13
\$50.00 fee receipted by JA # W040937 Date 3/15/2013
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:

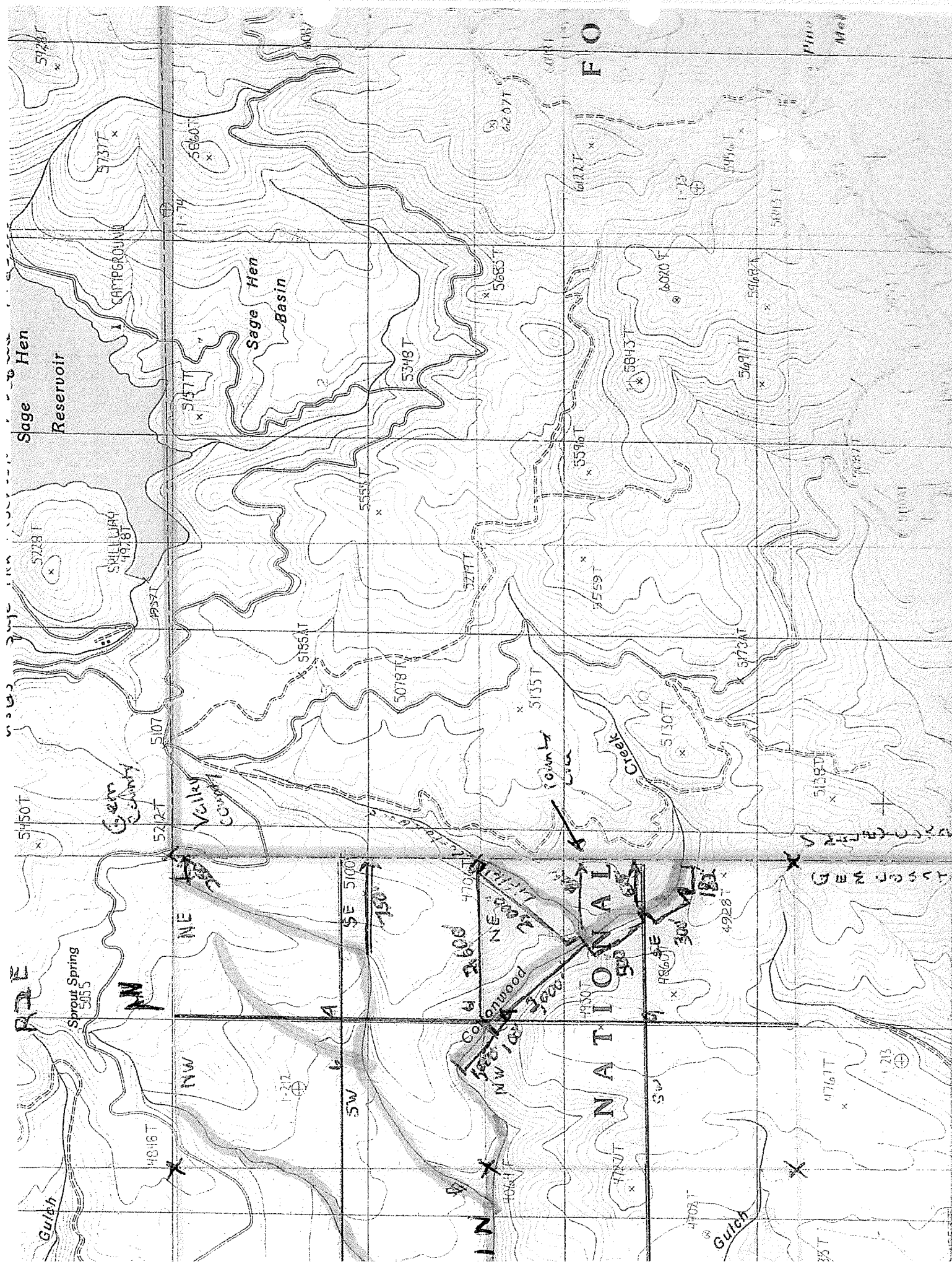
- ☒ a) The application for temporary approval should be approved, since
1. The temporary approval can be properly administered.
 2. Other water sources are not readily available.
 3. The approval is in the public interest.
 4. The approval will not injure known public values associated with the water source or any known water rights.
 5. Basins 77, 78, & 79- the location is not in the Wild & Scenic River Designation
- ☐ b) The application for temporary approval should be denied.

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 5.0 AF and a maximum rate of diversion of 14 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 10/31 / 13.
 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 for this location.

DATED this 15th day of March, 20 13.


For the Director



Westra, John

From: Pittman, Heidi
Sent: Monday, March 18, 2013 10:56 AM
To: Westra, John
Subject: FW: Ref 2013 New App / info ref 2012 MAP is same for localitons

From: Les Stephens [<mailto:atvescape@yahoo.com>]
Sent: Monday, March 18, 2013 10:43 AM
To: IDWRInfo
Cc: Rhonda Egusquiza
Subject: Ref 2013 New App / info ref 2012 MAP is same for localitons

Attention John Westron, IDWR Manager, March 18, 2013 1042hr

Sir, I regret in making an error on my 2013 application for reference the 2012 app # issued is TP-65-27. Emmett Ranger District, Boise National Forest, Intermittent Water Ways adjaecnt to and including Cottonwood Creek and Little Cottonwood Creek and numerous intermittent unnamed, as yet, springs and pools. All sources subject to run off and not continual seasonal flow in area of use.

Issue: I made an entry error in data box on app all locations are same as shown in 2012 yet I ERRED in showing we would draft in T11N R2E Section 9 NE Quarter, in fact should read SE Quarter.
Correction to Location of Drafting Source as NOTED SE QUARTER as in 2012. Please note we are not exerting rights only intent is to operate per Water Permit and Laws and Rules Pertaining to Recreational Prospecting in pursuit of a Non Productive Site, USDA Req., to file the actual Mill Site Claim if located in 2013. If located productive Mine Extract Site will be filed as claim accordingly if located in 2013 and or 2014. I find it necasary to secure the MILL SITE and Water Acces, precedence, and to fully prospect an areato establish said MILL SITE CLAIM Per USDA/BLM and ALL agencys as required. Being limited access to water in all other areas this will allow 1, one, site upon the entire District for monitoring and compliance. We will be in compliance at all times. I will forward to your dept. the Accepted or Denied Operations Plan / Notice of Intent for file once returned from USDA/USFS Emmett Ranger District, Boise National Forest.

Thank You, and your very courteous and cooperative staff. Working with your agency has been one of the least time consuming and none frustrating experience along this "long road I am traveling". As of Friday last BLM still refusing to recognize that we did in fact sign as the first persons/party to do so per law for first rights in the area. No Legal Contest, only demands of Operations Plan, Notice of Intent, Multiple Maps, Survey and as last heard to

even post a bond to perform as Recreational Prospectors. Cant as yet all my self a miner as we continued to be shut down and denied access last year. Thanks Again for your time, I apologize for the entry please allow the changes or addendum if required in writing.

Les Stephens

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