

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APPLICATION FOR TEMPORARY APPROVAL OF WATER USE

For a use not intended to become an established water right and not to exceed one (1) year in duration in accordance with Idaho Code § 42-202A.

MAY 14 2020

WATER RESOURCES
WESTERN REGION

Name of applicant Buddy Yuen Phone (208) 12-2897
 Mailing address 3302 Sage Drive City Caldwell
 State Idaho Zip 83605 Email shorthairs6873@gmail.com
 1. Source of water Eik Creek tributary to Moore's Creek

2. Location of point(s) of diversion. If more than two, attach a Point of Diversion/Place of Use Supplement. ☐

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #
<u>CON</u>	<u>5E</u>	<u>12</u>			<u>NE</u>	<u>NW</u>	<u>Borise Co</u>	<u>Eik Creek</u>	

3. Location of place of use. If more rows are needed, attach a Point of Diversion/Place of Use Supplement. ☐

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CON	5E	12					X												

4. Proposed use of water:

- a. ☐ Prevention of flood damage ☐ Ground water recharge ☐ Ground water or surface water remediation

☒ Other (Limited to a diverted volume of 5 acre-feet.) Describe: High banking

b. Attach a detailed description of how the proposal will accomplish the intended objective, such as prevention of flood damage.

5. Amount of water. Complete all three:

a. Maximum rate of diversion: .2 cfs; or 60 gpm.

b. Maximum daily volume: _____ AF; or _____ gallons.

c. Maximum volume over the duration of the request: 2.0 AF; or _____ gallons. nom

6. Duration of diversion: from 6/10/20 (month-day) to 8/1/20 (month-day).

7. Describe proposed diverting works: High banking / trommel

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

b. Who owns the facilities that will convey water to the place of use? _____

c. Who owns the land to be irrigated or place of use? John Roder

d. If any of the items above is owned by a person or entity other than the applicant, describe the arrangement allowing access and attach written evidence of the arrangement. Permission from John Roder

9. Attach an 8 1/2" x 11" map identifying the water source, point(s) of diversion, place(s) of use and conveyance system.

I hereby acknowledge that I assume all risk of the diversion and use of the water under this approval. I certify this is a temporary use and is not intended to become an established water right.

Buddy Yuen
Signature of Applicant

Title, if any

5/11/20
Date

Received by LE

Date 05/14/2020

Time 11:15am

\$50.00 fee receipted by LE

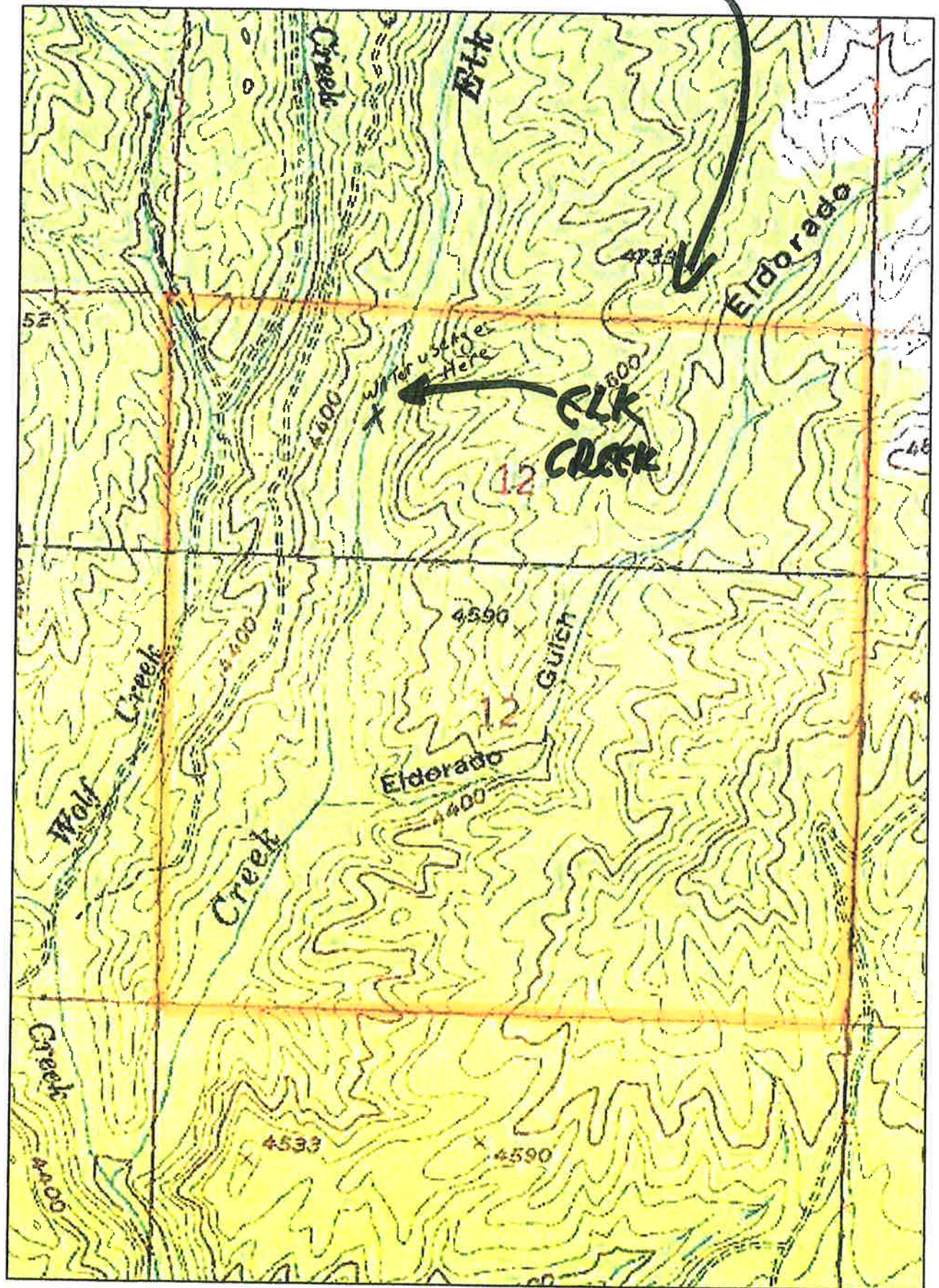
W048272

Date 05/14/2020

Watermaster comments received? email

Date 5/25/20

6N 5E Sec 12



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.
5. If the temporary approval is within a water district, the Department has sought and considered the recommendation of the watermaster.

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 60 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 or reduce the rate of flow or volume authorized by this approval. For example, the Department may cancel or reduce this approval if it concludes the water use is injuring other water rights or adversely affecting fish, wildlife or other public values.
6. A temporary approval for ground water recharge or prevention of flood damage shall be an opportunistic use of surplus water and shall not interfere with the filling of surface water reservoirs.
7. For a temporary approval authorizing ground water recharge or ground water or surface water remediation, the applicant shall measure and record the weekly quantity of water diverted and report the diversion data to the Department upon request.
8. This temporary approval is not an authorization for the described water use to be used as mitigation or credit for any other purpose.
9. The holder of this temporary approval 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.
10. A ¼ inch mesh screen shall be installed on the pump intake.
11. Direct discharge of waste water/slurry into rivers, creeks, or streams is not authorized.
12. 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.
13. This temporary use of water remains subject to control of the Boise River Watermaster.
14. 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 2.0 AF of water from the Boise River Rental Pool (2 AF minimum). Contact Boise River Watermaster, 208-908-5480.
15. This approval expires on August 1st, 2020.

Signed this 2nd day of June, 20 20


For the Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

June 2, 2020

BUDDY YUEN
3302 SAGE DR
CALDWELL ID 83605-7064

RE: Application for Temporary Approval of Water Use: TP-63-331

Dear Applicant:

Your application for temporary water appropriation has been approved and is enclosed. The approval authorizes the temporary use of water and does not grant trespass or other activity on public land or on private property.

Please review the **conditions of approval on page 2 of the Application for Temporary Approval form** to understand the limitations associated with the temporary use of water.

Please be advised, this approval 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, 2020**.

Also note the condition requiring the **purchase of storage water from the Boise River Rental Pool** to mitigate the injury to senior water right holders below the Boise River. A Boise River Rental Pool Lease Agreement form is enclosed for your convenience. Contact Boise River Watermaster, Rex Barrie at 208-908-5480 to complete the lease agreement prior to diverting water under this temporary approval.

If you have any questions, please feel free to contact this office, and any of our agents will be able to assist you.

If you require additional information regarding this matter, please call me at (208) 605-4625 or email me at Chad.Jones@idwr.idaho.gov.

Sincerely,

For Chad Jones

Technical Records Specialist

Enclosure(s)