

## 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 approval authorizes a maximum diversion of 1.0 AF and a maximum rate of diversion of 2.06 cfs.
  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 May 31, 2011.
  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.
  9. Other: Water intakes should be screened to prevent entrainment or impingement of fish or other aquatic life. The maximum screen mesh size should be 0.25 inches; approach velocities should not exceed 0.5 ft/second.
  10. Contact the DEPARTMENT OF WATER RESOURCES prior to diversion of water from streams.

DATED this 28 day of March, 2011.

Robert G Haynes  
For the Director

RECEIVED

Form 202a

MAR 16 2011

Indent. No.

TP- 94-97

IDWR / NORTH

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## APPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION

(5 AF or less)

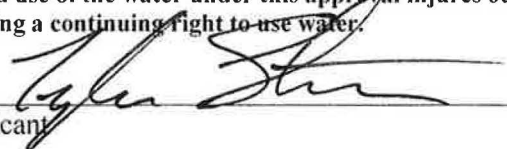
- Name of Applicant Braun-Jensen, Inc Phone 208-642-6058
- Address 509 S. 9th St Payette Id 83661 Email zstarr@braun-jensen.com
1. Source of water pine creek Tributary to Coart Dillene Lake Co
2. Location of point of diversion SE 1/4 SE 1/4 Sec. 39 Township 49N Range 2E B.M.,  
County Shoshone
3. Location of place of use SE 1/4 SE 1/4 Sec. 39 Township 49N Range 2E B.M., 47°32' 47.5" N  
County Shoshone 116° 13' 35.38" W
4. Proposed use of water draw water from the creek to supply the hydro demo operation of the nearby bridge deck
5. Amount of water:  
Maximum rate of diversion 200 cfs or 25 gpm.  
Maximum daily volume 0.000309 AF; Total volume 0.009283 AF.
6. Duration of diversion: From April 12th to May 31st  
Day-month Day-month
7. Proposed diverting works \_\_\_\_\_
8. Who owns the property at the requested point of diversion? Idaho transportation department
9. Describe the arrangement allowing access to the water \_\_\_\_\_
10. Remarks The location where Braun Jensen will draw water is directly under the I-90 overpass over pine creek. See coordinates above.

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.

Date

3/14/2011

Applicant



Received by

Date

\$50.00 fee received by

# N036759

Time

Date

3/16/11

Watermaster Comments received?

Date



POD

49N02E32SESE

POU





**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

03/30/2011

BRAUN-JENSEN INC  
509 S 9<sup>TH</sup> STREET  
PAYETTE ID 883661

RE: Temporary Permit No. TP-94-97

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-94-97.

Please be advised that THE PERMIT IS SUBJECT TO THE EFFECTIVE DATES AND CONDITIONS STATED ON PAGE TWO OF THE APPLICATION.

If you have any questions or if this office can be of further assistance, please contact us.

Sincerely,

A handwritten signature in blue ink that reads "Robert G. Haynes". The signature is written in a cursive style with a large, stylized 'R' and 'H'.

Robert G. Haynes, P.E.  
Regional Manager

Enclosure

Enc. Receipt No. N026759  
Copy of Permit No. TP-94-97



State of Idaho

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C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN,  
Interim Director

### FAX TRANSMITTAL COVER SHEET

DATE: 3/17/11

TO: Mary Terra Berns

FROM: \_\_\_\_\_

FAX #: 208-762-1418

NOTE: BLANK FORMS ARE AVAILABLE ON THE INTERNET AT:  
<http://www.idwr.idaho.gov/RulesStatutesForms/>

DOCUMENT DESCRIPTION:

Temp. Water Appropriation - Braun-Jensen LLC

TOTAL PAGES SENT: 4 PLUS (+) COVER SHEET

CONTACT: Keith Franklin  
(NAME OF SENDER)

CHARGES: One (1) free copy per request, cover sheet not included. Two (2) or more copies per request are \$0.25 per page with a \$0.50 minimum

PLEASE CONSIDER THIS DOCUMENT AS A BILLING STATEMENT.

THE CHARGE FOR YOUR FAX COPIES IS \$ \_\_\_\_\_

PLEASE REMIT BY RETURN MAIL TO THE ABOVE ADDRESS.

PHONE NO: (208) 762-2800

FAX NO: (208) 762-2819



State of Idaho

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C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

March 17, 2011

MARY TERRA BERNES  
IDAHO DEPARTMENT OF FISH & GAME  
2885 KATHLEEN AVE.  
COEUR D' ALENE, ID 83815

Re: Application For a Temporary Approval of a Water Appropriation

Dear MARY:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding an application to temporarily appropriate 1.0 acre-feet of water from Pine Creek, which is tributary to Coeur d'Alene River for construction water by Braun-Jensen, Inc. A copy of the application is attached for your reference.

Would you please submit your comments no later than March 24, 2011? If we do not hear from you by that date, we will assume that no comment from you, means you have no objection to, concerns about, or conditions pertaining to the issuance of this permit.

You may send comments by regular mail to the address above, by FAX to 762-2819 or by e-mail to [keith.franklin@idwr.idaho.gov](mailto:keith.franklin@idwr.idaho.gov).

If you have any questions, don't hesitate to contact me at this office.

Thank you.

Sincerely,

Keith E. Franklin  
Water Resources Agent

Encl/kf

*NO COMMENTS received  
2508 3/25/11  
kd*