

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 1.54 AF and a maximum rate of diversion of 1.0 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 8/31/11.
 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 vaules.
 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 2 day of June, 2011.

Robert D. Haynes

For the Director

RECEIVED

Form 202a 10/07

MAY 18 2011

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Indent. No. TP-91-05

IDWR/NOTES

APPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION
(5 AF or less)

- Name of Applicant WEST COMPANY, INC. Phone 509-468-8535
- Address P.O. BOX 519 AIRWAY HEIGHTS, WA 99001 Email natem@westway.cc
1. Source of water ST. JOE RIVER Tributary to Coeur d'Alene
BENEWAH LAKE
2. Location of point of diversion 1/4 SW 1/4 Sec. 12 Township 46N, Range 3W B.M.,
47° 20' 48.37" N 116° 40' 07.81" W GOOGLE EARTH
County BENEWAH SEE ATTACHED AERIAL
3. Location of place of use NW 1/4 NW 1/4 Sec. 13 Township 46N, Range 3W B.M.,
County BENEWAH MP 12.65 TO MP 12.90 ON 6H-5
4. Proposed use of water APPLIED TO ROADWAY FOR CONSTRUCTION OF
ITD PROJECT KNOWN AS "PARKER PASS" SMD-0014.
5. Amount of water:
Maximum rate of diversion _____ cfs or 450 gpm.
Maximum daily volume .024 AF; Total volume 1.54 AF.
6. Duration of diversion: From 5/31/11 to 8/31/11
Day-month Day-month
7. Proposed diverting works TRASH PUMP INTO WATER TRUCK
8. Who owns the property at the requested point of diversion? FRED GUENTHER OF ST. MARIES, ID
208-245-3594 OR 208-582-2060
9. Describe the arrangement allowing access to the water ACCESS TO RIVER THROUGH PROPERTY
FOR A FEE.
10. 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.

5/17/11
Date

Nate McKee - PROJECT MANAGER
Applicant

Received by cm Date 5-18-11 Time _____
\$50.00 fee received by cm # 2027193 Date 5-18-11
Watermaster Comments received? _____ Date _____



TP-91-05



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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

06/02/2011

WEST COMPANY INC
PO BOX 519
AIRWAY HEIGHTS WA 99001

RE: Temporary Permit No. TP-91-05

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-91-05 .

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, flowing style.

Robert G. Haynes, P.E.
Regional Manager

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN,
Interim Director

FAX TRANSMITTAL COVER SHEET

DATE: 5-23-2011

TO: Mary Tera Bernis

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 Permit - West Co. Inc.

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

FAXED



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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

May 23, 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 two applications to temporarily appropriate 1.54 acre-feet of water from the St. Joe River for road construction water, by West Company, Inc. A copy of the application is attached for your reference.

Would you please submit your comments no later than May 31, 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 above address, by FAX to 208-762-2819 or by e-mail to 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
Senior Water Resources Agent

Encl/kf

*D9 comments received
as of 6/2/11
KF*

FAXED