

TP-97-23

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 1.109 AF and a maximum rate of diversion of 0.67 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 11/1/2010.
 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 31 day of August, 2010.

Robert G Haynes
For the Director

Basin 97

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

COPY

- Name of Applicant INTERSTATE CONCRETE + ASPHALT CO. Phone (208) 263-0538
- Address PO Box 1113 SANDPOINT, ID 83864 Email sharningco@castlematerials.com
- Source of water KALISPELL CREEK Tributary to Upper West Branch Priest River
 - Location of point of diversion NE 1/4 NE 1/4 Sec. 34 Township 61N, Range 5W B.M.,
County BONNER
 - Location of place of use NE 1/4 NE 1/4 Sec. 34 Township 61N, Range 5W B.M.,
County BONNER
 - Proposed use of water DUST CONTROL ON COUNTY ROAD (KALISPELL CREEK ROAD) AND ALSO WATER FOR POWER EQUIPMENT
 - Amount of water:
Maximum rate of diversion _____ cfs or 300 gpm.
Maximum daily volume .0369 AF; Total volume 1.109 AF.
 - Duration of diversion: From 11 AUGUST to 15 OCTOBER
Day-month Day-month
 - Proposed diverting works ITD CONSTRUCTION PROJECT
 - Who owns the property at the requested point of diversion? COUNTY RIGHT-OF-WAY
 - Describe the arrangement allowing access to the water PUMP WILL BE ON SHOULDER OF COUNTY ROAD AND A SCREENED FOOT VALVE ON THE END OF HOSE TO THE CREEK (APPROXIMATELY 80 FEET AWAY)
 - Remarks WE WILL SILT FENCE AROUND THE PUMP. WE WILL PROBABLY ONLY USE THE DIVERSION POINT FOR A FEW DAYS WITH 1 LOAD IN A 3500 GALLON WATER TRUCK. OTHER DAYS WE WILL GET WATER FROM THE TOWN OF LAMB CREEK.

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 8/23/10

Applicant Scott Horning

Received by KES Date 8/23/10 Time _____
\$50.00 fee receipted by KES # 1035467 Date 8/23/10
Watermaster Comments received? _____ Date _____



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

COPY

08/31/2010

INTERSTATE CONCRETE & ASPHALT CO
PO BOX 1113
SANDPOINT ID 83864

RE: Temporary Permit No. TP-97-23

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-97-23 .

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,

Robert G. Haynes, P.E.
Regional Manager

Enclosure – copy of permit TP-97-23



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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN.
Interim Director

FAX TRANSMITTAL COVER SHEET

DATE: 8/23/2010

TO: Mary Terra Berns

FROM: _____

FAX #: 208-769-1418

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

DOCUMENT DESCRIPTION:

Temp. Water Appropriation - Interstate Concrete
& Asphalt Co.

TOTAL PAGES SENT: 9 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

August 23, 2010

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 up to 1.109 acre-feet of water out of the Kalispell Creek which is tributary to the Priest River, by Interstate Concrete & Asphalt Co., for road construction water. A copy of the application is attached for your reference.

Would you please submit your comments no later than August 30, 2010? 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.

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
as of 8/31/2010
KF

FAXED