

TP-96-86

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 2.4 AF and a maximum rate of diversion of 1.1 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 12/31/2010.
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 13 day of September, 2010.

For the Director

Robert G. Haynes

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

Name of Applicant WESTWAY CONSTRUCTION, INC. Phone 509-468-8535

Address P.O. Box 519 AIRWAY Heights, WA 99001 Email nate.m@westway.cc

1. Source of water LAKE PEND OREILLE Tributary to _____

2. Location of point of diversion _____ ¼ _____ ¼ Sec. 21 Township 57N, Range 1E B.M.,
County BONNER COUNTY

3. Location of place of use _____ ¼ _____ ¼ Sec. 21 Township 57N, Range 1E B.M.,
County BONNER COUNTY

4. Proposed use of water WATER WILL BE USED FOR CONSTRUCTION OF THE NEW BRIDGE DECK
OVERLAY PLANNED FOR THE BRIDGE AT MP 44.80 ON SH-200 NEAR HOPE, ID.
THE PROJECT IS FOR ITD & IS KNOWN AS SH-200 BNSF RR BRIDGE REHABILITATION.
WATER WILL BE USED TO REMOVE CONCRETE, WASH CONCRETE & REPAIR THE BRIDGE.

5. Amount of water:

Maximum rate of diversion _____ cfs or 500 gpm.

Maximum daily volume 0.12 AF; Total volume 2.4 AF.

6. Duration of diversion: From 09/15/10 to 11/1/10
Day-month Day-month

7. Proposed diverting works 3"-6" TRASH PUMPS SET ON LAKE SHORE w/ SUCTION HOSES

8. Who owns the property at the requested point of diversion? THE DIVERSION POINT IS THE "HOPE BOAT BASIN"
AND IT IS MANAGED BY BONNER COUNTY.

9. Describe the arrangement allowing access to the water NOTIFIED LESLIE MARSHALL, DIRECTOR, FOR BONNER
COUNTY WATERWAYS, ON 8/27/10 OF OUR PROPOSED USE.

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.

Date 8/27/10

Nate M. [Signature]
Applicant

Received by [Signature]
\$50.00 fee receipted by [Signature]
Watermaster Comments received? _____

Date 8/30/10

Time _____
Date 8/30/10
Date _____

NO25521

RECEIVED
AUG 30 2010
IDWR / NORTH



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

09/15/2010

WESTWAY CONSTRUCTION INC
PO BOX 519
AIRWAY HEIGHTS WA 99001

RE: Temporary Permit No. TP-96-86

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-96-86 .

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 with number assigned
Receipt No. N025521



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

September 13, 2010

Westway Construction, Inc.
PO Box 519
Airway Heights, WA 99001

Re: Application For A Temporary Water Appropriation

Gentlemen:

Enclosed please find a copy of your approved permit to temporarily appropriate water from Lake Pend Oreille for road construction water.

If you have any questions, feel free to contact me at this office.

Sincerely,

Keith E. Franklin
Senior Water Resources Agent
Enclosure

COPY



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN,
Interim Director

FAX TRANSMITTAL COVER SHEET

DATE: 8/30/2010

TO: Mary Terra Berns

FROM: _____

FAX #: 208-769-4118

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

DOCUMENT DESCRIPTION:

Temp. Water Appropriation - Westway
Construction, Inc.

TOTAL PAGES SENT: 3 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



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

August 30, 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 2.4 acre-feet of water out of Lake Pend Oreille which is tributary to the Pend Oreille River, by Westway Construction, Inc. for road construction water. A copy of the application is attached for your reference.

Would you please submit your comments no later than September 7, 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

FAXED

NO COMMENTS AS
OF 9/13/2010.
KF

Encl/kf