

## 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 0.22 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 12/31/09.
  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 29 day of October, 2009.

For the Director

*Robert B. Haynes*

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION  
(5 AF or less)

- Name of Applicant Tim Tape - Granite Hill Sand & Gravel Phone 683-2753  
 Address 132 Sunset Rd, Athol ID 83801 Email idjoan@gmail.com
1. Source of water Morton Ditch Tributary to Pend Orielle River  
 2. Location of point of diversion NW 1/4 SW 1/4 Sec. 15 Township 56N, Range 3W B.M.,  
 County Bonner  
 3. Location of place of use NW 1/4 SW 1/4 Sec. 15 Township 56N, Range 3W B.M.,  
 County Bonner  
 4. Proposed use of water water roadway under construction
5. Amount of water:  
 Maximum rate of diversion 0.22 cfs or 100 gpm.  
 Maximum daily volume \_\_\_\_\_ AF; Total volume 10,000 1.0 AF.
6. Duration of diversion: From 10-19-09 to 12-31-09  
 Day-month Day-month
7. Proposed diverting works pump on water tank
8. Who owns the property at the requested point of diversion? State
9. Describe the arrangement allowing access to the water access already there
10. Remarks Bonner County has diverted appropriated water for their work in the area. Contract under The Ledges over Pend Orielle Subdivision - Rich

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 10-19-09

Applicant Joan Tape

Received by K. Lee Date 10/19/09  
 \$50.00 fee receipted by K. Lee # NW 27531  
 Watermaster Comments received? \_\_\_\_\_

Time 4:00 P  
 Date 10/19/09  
 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](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

11/05/2009

TIM TOPE  
GRANITE HILL SAND & GRAVEL  
132 SUNSET RD  
ATHOL ID 83801

RE: Temporary Permit No. TP-96-81

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-96-81 .

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 black 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

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C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

October 29, 2009

Tim Tope  
Granit Hill Sand & Gravel  
132 Sunset Rd  
Athol, ID 83801

Re: Application For Temporary Water Appropriation

Dear Mr. Tope:

Enclosed please find your copy of the approved permit to appropriate 1 acre-foot of water from Morton Slough in Bonner County for road construction purposes. Please note that the permit will expire on December 31, 2009.

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

Sincerely,

Keith E. Franklin  
Senior Water Resources Agent  
Enclosure

**COPY**



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C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Interim Director

FAX TRANSMITTAL COVER SHEET

DATE: 10/20/09

TO: Mary Terra Berns

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

FAX #: 208-769-1418

\_\_\_\_\_

NOTE: BLANK FORMS ARE AVAILABLE ON THE INTERNET AT:  
[www.idwr.state.id.us/info/forms.htm](http://www.idwr.state.id.us/info/forms.htm)

DOCUMENT DESCRIPTION:

Application For Temp. Permit - Grand Hill Sand & Gravel

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

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C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

October 20, 2009

MARY TERRA BERNIS  
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 1.0 acre-foot of water out of the Morton Slough which is tributary to the Pend Oreille River, by Granit Hill Sand & Gravel, for road construction water. A copy of the application is attached for your reference.

Would you please submit your comments no later than October 27, 2009 and sooner if possible? The company is trying to complete a job before the cold weather sets in. 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  
as of 10/27/09. KF*