

TP-96-74

Received by db Date 7/6/07 Time 10:50 a

\$50.00 fee received by db # N018505 Date 7/6/07

Watermaster Comments received? \_\_\_\_\_ Date \_\_\_\_\_

### 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 3.1 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 12/31/07.
  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 19<sup>th</sup> day of July, 2007.

Robert G Haynes

For the Director

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

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

RECEIVED  
JUL 06 2007  
IDW/R/North

Name of Applicant Idaho Transportation Department Phone (208) 772-1200

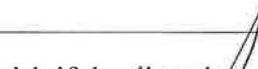
Address 600W. Prairie Ave Coeur d'Alene, Idaho 83815

1. Source of water Sand Creek Tributary to Lake Pend Oreille
2. Location of point of diversion NW 1/4 NW 1/4 Sec. 23 Township 57N, Range 2W B.M.,  
County Bonner.
3. Location of place of use West 1/2 Section 23, East 1/2 Section 15 and West 1/2 Section 14 T 57N, R 2W  
County Bonner.
4. Proposed use of water Dust abatement for earthwork associated with road construction.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. Amount of water:  
Maximum rate of diversion \_\_\_\_\_ cfs or 100 gpm.  
Maximum daily volume 0.012 AF; Total volume 3.1 AF.
6. Duration of diversion: From August 1, 2007 to August 1, 2008  
Day-month Day-month
7. Proposed diverting works pump with screened suction hose placed in Sand Creek.
8. Who owns the property at the requested point of diversion? Idaho Transportation Department  
\_\_\_\_\_
9. Describe the arrangement allowing access to the water construction contractor for the Idaho Transportation Department will  
access the water under the terms of their construction contract with ITD.
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.

6/26/07  
Date

risk if the diversion and use of the water under  
 certify this is a temporary use and that I am not s

  
 Applicant







## 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

DAVID R. TUTHILL, JR.  
Director

07/19/2007

IDAHO TRANSPORTATION DEPARTMENT  
600 W PRAIRIE AVE  
COEUR D ALENE ID 83815

RE: Temporary Permit No. TP-96-74

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-96-74 .

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**



**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](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR  
Director

July 6, 2007

Mary Terra Berns

IDAHO DEPARTMENT OF FISH & GAME

2885 KATHLEEN AVE.

COUER 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 and application to temporarily appropriate 3.1 acre-feet form Sand Creek that is an tributary to Lake Pound Oreille. This application is for construction of the Sand Creek Byway project in Sandpoint, Idaho.

Would you please submit your comments no later than July 17, 2007? If you do not contact us by that date, we will assume that no comment from you, means you have no objections, 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 (208) 762-2819 or by E-Mail to [eric.davis@idwr.idaho.gov](mailto:eric.davis@idwr.idaho.gov)

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

Thank you.

Sincerely,

Eric J Davis

Water Resources Agent

Encl/ ed





## Washington Group International

Integrated Engineering, Construction, and Management Solutions

June 26, 2007

Mr. Keith Franklin  
Idaho Department of Water Resources  
Northern Region  
1910 Northwest Blvd., Suite 210  
Coeur d'Alene, ID 83814

RECEIVED  
JUL 06 2007  
IDWR/North

RE: US 95, SAND CREEK BYWAY, Project No. DHP-NH-IR-CM-F-5116(068), Key No. 1729  
Temporary Water Appropriation Permit

Dear Mr. Franklin:

Attached is the annual application for Temporary Approval of Water Appropriation for construction of the Sand Creek Byway project in Sandpoint, Idaho. The project is being developed by the Idaho Transportation Department (ITD). Following federal and state permit approvals, a contractor will construct the project.

Washington Group International is developing the plans and specifications for the projects. We have put this permit together on behalf of the Idaho Transportation Department. If you have any questions or concerns regarding this permit application, please feel free to contact me at 208-386-5446.

Thank you for your assistance in processing this application for permit.

Sincerely,

Tracy Olsen, P.E.  
Project Manager  
Washington Group International, Inc.

Cc: Randy Hirst, ITD District One  
File 26018.001.1735