

TP-95-70

Received by cm Date 7-2-07 Time _____

\$50.00 fee received by cm # N018500 Date 7-2-07

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 0.5 AF and a maximum rate of diversion of 0.06 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 10/30/07.
 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 11 day of July, 2007.

Robert G Haynes
For the Director

RECEIVED

Form 202a 11/09
JUL - 2 2007

Indent. No. TP-95-70

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

IDWR/North

APPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION

(5 AF of less)

Name of Applicant DAVID L. EUBANKS Phone (208) 676-1084

Address 5924 W. Clementson CDA ID 83814

1. Source of water LAKE CDA Tributary to Spokane River

2. Location of point of diversion SW 1/4 SE 1/4 Sec. 9 Township 49N, Range 3W B.M.,
County _____

3. Location of place of use NE 1/4 SW 1/4 Sec. 20 Township 50N, Range 4W B.M.,
County Kootenai

4. Proposed use of water Agricultural - water for gardens
in hot weather.

5. Amount of water:

Maximum rate of diversion _____ cfs or 25 gpm.

Maximum daily volume _____ AF; Total volume 0.5 AF.

6. Duration of diversion: From May 31st to Oct. 30th
Day-month Day-month

7. Proposed diverting works 3 1/2 hp Gas pump and 2" suction line

8. Who owns the property at the requested point of diversion? Idaho Fish & Game

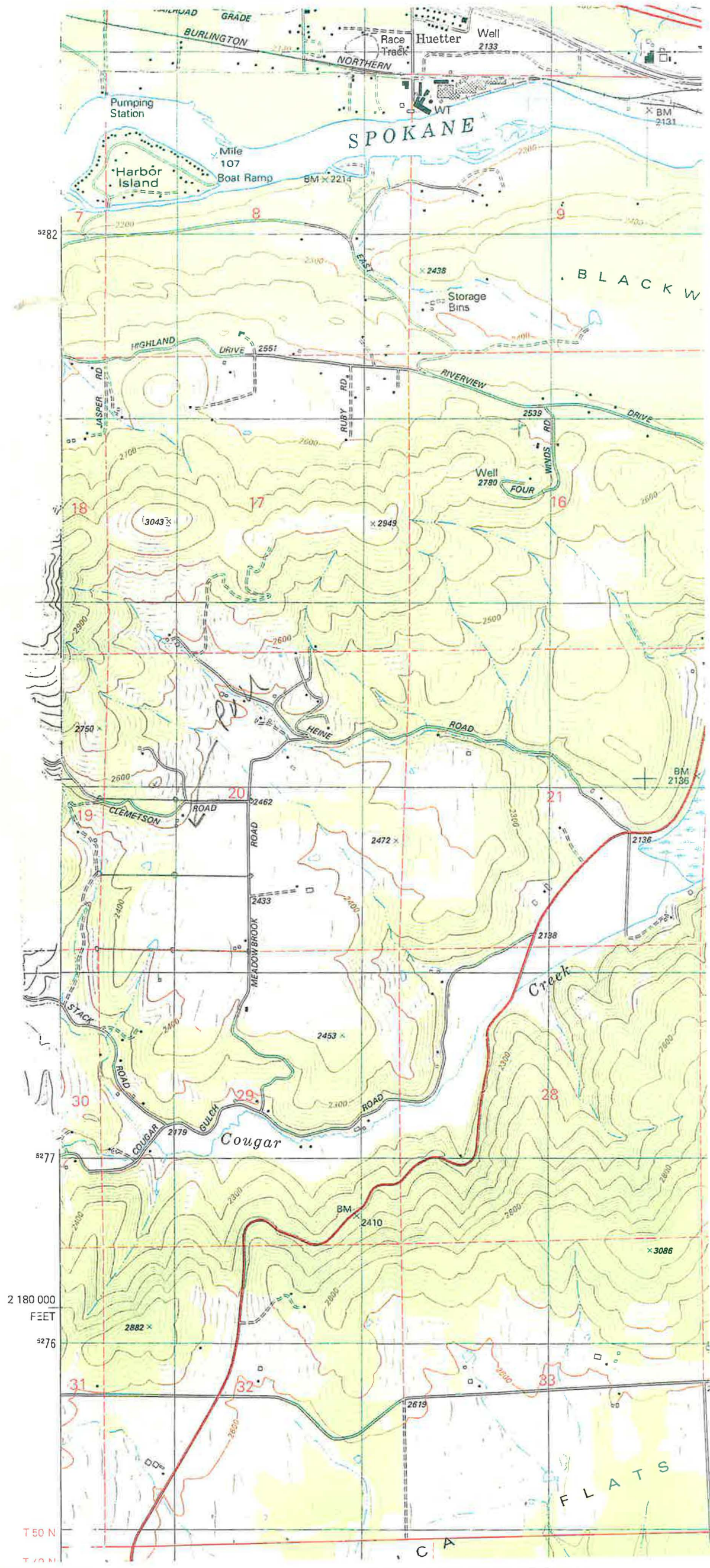
9. Describe the arrangement allowing access to the water Verbal agreement with F & G.

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.

7/2/07
Date

David L. Eubanks
Applicant



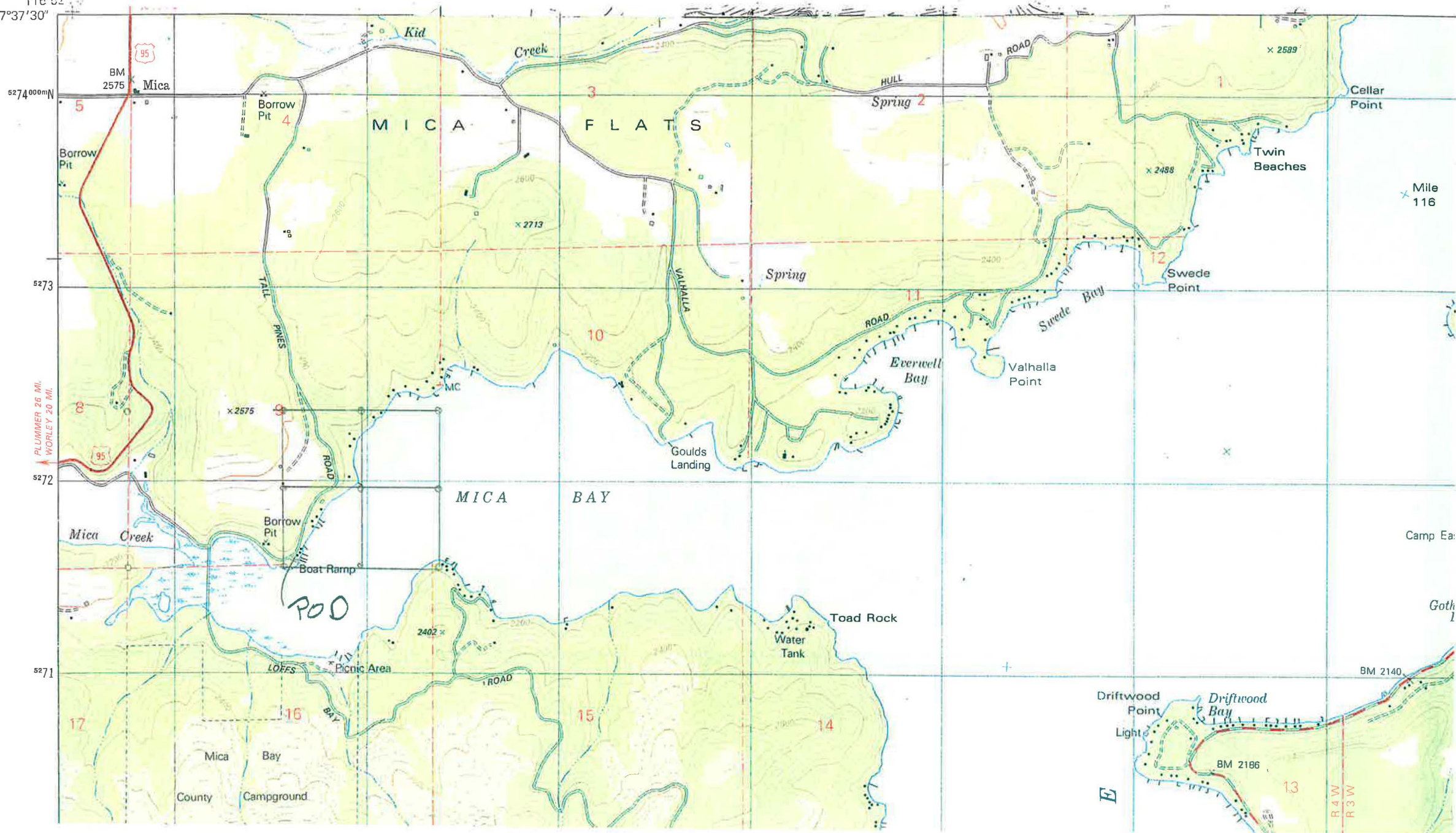
2 180 000
FEET
5276

T 50 N
T 50 N

UNITED STATES
OF THE INTERIOR

26° 19' 11" NW
(POST FALLS)

116° 54'
47° 37' 30"





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

07/12/2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

DAVID L EUBANKS
5924 W CLEMENTSON
COEUR D ALENE ID 83814

RE: Temporary Permit No. TP-95-70

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-95-70 .

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,

Keith E. Franklin
Senior Water Resource Agent

Enclosure

COPY



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

July 2, 2007

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 for an application by David Eubanks to temporarily appropriate 0.5 acre-feet of water from Lake Coeur d' Alene at the Mica Bay boat ramp facility, for agricultural purposes. A copy of the application is attached for your reference.

Would you please submit your comments no later than July 9, 2007? 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

Encl/kf



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

DAVID R. TUTHILL, JR.
Interim Director

FAX TRANSMITTAL COVER SHEET

DATE: 7-2-07

TO: Mary Terra Berns

FROM: IDWR

FAX #: 208-769-1418

NOTE: **BLANK FORMS ARE AVAILABLE ON THE INTERNET AT:**
www.idwr.state.id.us/info/forms.htm

DOCUMENT DESCRIPTION:

Application to temporarily appropriate
water from Lake Coeur d'Alene.

TOTAL PAGES SENT: 2 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

