TP-95-70

Re	eceived by _	cm		Date	2-07	Time	
\$5	50.00 fee rec	eipted by _	cm	#_ <b>_/</b>	018500	Date	2-2-07
W	atermaster (	Comments r	eceived?			Date	
		ACTION	OF THE DIRE	CTOR, DEPART	MENT OF WAT	IER RESOU	RCES
Thi Sec	is is to certify t ction 42-202a,	hat the depart Idaho Code, a	ment has examine and has determined	d this application for te l that:	mporary approval to	o use water under	the provisions of
				al should be denied.			
/	b) The a	pplication for	temporary approv	al should be approved,	since		
	1. The	temporary app	proval can be prop	erly administered.			
	2. Othe	r water source	es are not readily a	vailable.			
	3. The	approval is in	the public interest				
	4. The a	approval will:	not injure known p	ublic values associated	l with the water sour	ce or any known	water rights.
	This appl	ication is ther	efore hereby:				
	a) DENII	ED					
_/	b) APPR	OVED, subje	ct to the following	conditions:			
	1. Diver	sion and use	of water under this	approval is subject to	all valid existing wat	ter rights.	
				of the water under this			
	3. This a	approval authority	orizes a maximum	diversion of 0.5	_AF and a maximu	m rate of diversio	n of <u>0, 06 cfs.</u>
	4. This and m	approval does ay not be use	not grant a right-o d in connection wi	f-way across the land o th a use which requires	f another, does not c a continuing water	reate a continuing supply.	g right to use the water
*	5. The d	epartment ma		val at any time if the d	epartment identifies	injury to other wa	ater rights.
	6. This a	pproval expir	es on/O	30/07	*		
	7. This a	pproval does	not create a continu	uing right to use water.			
	water	source or othe	erwise adversely af	all not divert at a rate of fect fish, wildlife or ot	her public vaules.		
i.		of fish	or other aqu approach ve the DEPARTM	ld be screened Jatic life. T locities shoul ENT OF WATER R	he maximum so d not exceed	0.5 ft/sec	or impingement size should be O ond. \$ion of water
	DATED	this	day	of July	Roles For the Directo	,2007 B.G	Haynes

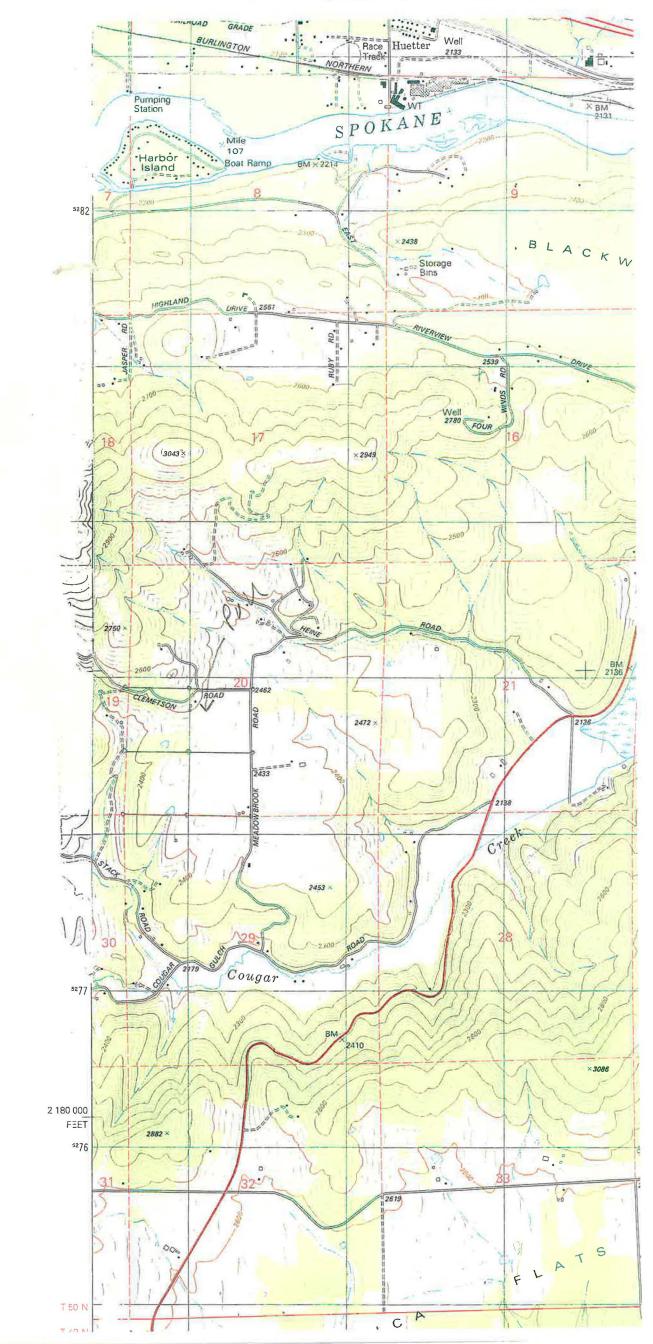
Address 5924 W. Clemetson CDA ID 83814			
JUL - 2 2007 STATE OF IDAHO IDWR/Morth DEPARTMENT OF WATER RESOURCES APPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION (S AF of less) Name of Applicant DAVID L. EVBANCS Phone 209 676-108 / Address $5924$ W. Clemetson CDA ID 83814 . Source of water AKE CDA Tributary to Spekane Rive Location of point of diversion 212 % 5 E % Sec. 9 Township 492, Range 212 BM, County	RECEIVED		-0.05-
DEPARTMENT OF WATER RESOURCES <b>APPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION</b> (SAF of less) Name of Applicant DAVID L. EVBANKS Phone 205 676-108 / Midress $5924$ W. Clemetson DA ED 83814 . Source of water <u>AAKE CDA</u> Tributary to <u>Spokane Rive</u> Location of point of diversion <u>362</u> 4 <u>5</u> <u>6</u> <u>4</u> Sec. <u>9</u> Township <u>49</u> <u>0</u> , Range <u>412</u> <u>BM</u> , County <u>County</u> Location of place of use <u>NE</u> 4 <u>5</u> <u>4</u> Sec. <u>40</u> Township <u>50</u> <u>N</u> , Range <u>412</u> <u>BM</u> , County <u>Koepterai</u> Proposed use of water <u>Agricultural</u> <u>water</u> <u>for gardenc</u> 1 w hot <u>Weather</u> Maximum rate of diversion <u>cfs</u> or <u>35</u> gpm. Maximum daily volume <u>AF</u> ; Total volume <u>0.5</u> <u>AF</u> . Duration of diversion: From <u>May 315t</u> to <u>Oct. 307</u> <u>5</u> Day-month Proposed diverting works <u>372</u> <u>Nep</u> <u>Gras</u> <u>prump</u> <u>and</u> <u>3</u> <u>5</u> <u>Suction</u> <u>5</u> <u>65</u> Who owns the property at the requested point of diversion? <u>Fdabo</u> <u>Fibb</u> <u>6</u> <u>Game</u>	Form 202a 11/99	STATE OF IDAUO	Indent. No. <u>7P-95-</u>
APPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION (5 AF of less) Name of Applicant DAVID L. EVBANKS Phone 209 676-108 / Address <u>5924</u> W. Clemetson DA ID 83814 Source of water <u>AKE</u> CDA Tributary to <u>Spokane Rive</u> Location of point of diversion <u>212</u> 4 5 E 1/4 Sec. <u>9</u> Township <u>49</u> W. Range <u>312</u> B.M., County <u>County</u> Location of place of use <u>NE</u> 4 <u>56</u> 1/4 Sec. <u>9</u> Township <u>49</u> W. Range <u>312</u> B.M., County <u>Geostenai</u> Location of place of use <u>NE</u> 4 <u>56</u> 1/4 Sec. <u>30</u> Township <u>50</u> N, Range <u>412</u> B.M., County <u>Geostenai</u> Location of place of use <u>NE</u> 4 <u>56</u> 1/4 Sec. <u>30</u> Township <u>50</u> N, Range <u>412</u> B.M., County <u>Kepstenai</u> Location of place of use <u>NE</u> 4 <u>56</u> 1/4 Sec. <u>30</u> Township <u>50</u> N, Range <u>412</u> B.M., County <u>Kepstenai</u> Kanount of water: Maximum rate of diversion <u>cfs</u> or <u>35</u> gpm. Maximum daily volume <u>AF;</u> Total volume <u>0.5</u> <u>AF</u> . Duration of diversion: From <u>May3 st</u> to <u>Oct. 307 h</u> Day-month Proposed diverting works <u>312 Mp</u> Gas <u>prump</u> and <u>315 Suchron</u> from Who owns the property at the requested point of diversion? <u>Idaho</u> <u>Fibra</u> <u>4</u> <u>Garme</u>			
(5 AF of less) Name of Applicant DAVID L. EVBANKS Phone 208 676-108 / Address <u>5924</u> W. Clemetson DA ID 83814 . Source of water <u>AAKE</u> CDA Tributary to <u>Spokane Rive</u> . Location of point of diversion <u>212</u> % <u>5</u> E % Sec. <u>9</u> Township <u>49</u> W. Range <u>312</u> B.M., County <u>County</u> Location of place of use <u>NE % SW</u> % Sec. <u>30</u> Township <u>50</u> N, Range <u>412</u> B.M., County <u>Kepstenai</u> Proposed use of water <u>Agricultural ~ Water for gardens</u> <i>Iw</i> hot <u>Weather</u> Maximum daily volume <u>AF;</u> Total volume <u>0.5</u> AF. Duration of diversion: From <u>May3 st</u> to <u>Oct. 307 h</u> Day-month Proposed diversion: From <u>May3 st</u> to <u>Oct. 307 h</u> Day-month Proposed diverting works <u>3%</u> <u>NP</u> Gas <u>prump</u> and <u>3</u> " <u>Suction</u> (in the county Who owns the property at the requested point of diversion? <u>Idaho</u> Fish <u>E</u> <u>Games</u>			
Name of Applicant DAVID L. EVBANKS Phone 208 676-108 / Address <u>5924 W. Clemetson</u> DA FD 83814 Source of water <u>AAKE</u> CDA Tributary to <u>Spokane Rive</u> Location of point of diversion <u>262</u> % <u>Sec. 9</u> Township <u>490</u> , Range <u>510</u> B.M., County Location of place of use <u>NF</u> % <u>5W</u> % <u>Sec. 20</u> Township <u>50N</u> , Range <u>510</u> B.M., County <u></u> Location of place of use <u>NF</u> % <u>5W</u> % <u>Sec. 20</u> Township <u>50N</u> , Range <u>410</u> B.M., County <u></u> Location of place of use <u>NF</u> % <u>5W</u> % <u>Sec. 20</u> Township <u>50N</u> , Range <u>410</u> B.M., County <u>Keptenai</u> Proposed use of water <u>Acjacul two</u> <u>4</u> <u>4</u> <u>Water</u> <u>for</u> <u>gardens</u> <u>1w</u> <u>hot</u> <u>Weather</u> <u>1w</u> <u>hot</u> <u>Weather</u> <u>amount of water</u> Maximum rate of diversion <u></u> <u>6</u> for <u>25</u> gpm. Maximum daily volume <u></u> <u>AF</u> ; Total volume <u>0.5</u> <u>AF</u> . Duration of diversion: From <u>May3[st</u> <u>to</u> <u>Oct. 3075</u> <u>Day-menth</u> <u>Day-menth</u> Proposed diverting works <u>3½ Mp</u> <u>Gas</u> <u>prump</u> <u>and</u> <u>3</u> " <u>5mction</u> ] (12) Who owns the property at the requested point of diversion? <u>Johno</u> <u>Fish é</u> <u>Came</u> <u></u> Describe the arrangement allowing access to the water <u>Venzul</u> <u>aggreet weent</u> <u>with</u> <u>F</u> <u>6</u> Griptical <u>4</u>	APPLICATION		AFFROFRIATION
Source of water $AKE CDA$ Tributary to $SfoKane River Location of point of diversion SU 4 SE 4 Sec. 9 Township 49D, Range SU B.M.,County$	Name of Applicant	UID L. EUBANKS Phone	208 676-1089
Location of point of diversion <u>SLJ</u> <u>4</u> <u>6</u> <u>E</u> <u>4</u> Sec. <u>9</u> Township <u>49</u> <u>D</u> , Range <u>4</u> <u>L</u> <u>B</u> <u>M</u> , County <u></u> Location of place of use <u>NF</u> <u>4</u> <u>5</u> <u>W</u> <u>4</u> Sec. <u>30</u> Township <u>50</u> <u>N</u> , Range <u>4</u> <u>L</u> <u>J</u> <u>B</u> <u>M</u> , County <u>Kophenai</u> Proposed use of water <u>Agricultural - Water for gardenc</u> <u>1</u> <u>W</u> <u>hot</u> <u>Weather</u> <u>1</u> <u>W</u> <u>hot</u> <u>Weather</u> <u>1</u> <u>W</u> <u>hot</u> <u>Weather</u> <u>1</u> <u>W</u> <u>hot</u> <u>Weather</u> <u>1</u> <u>M</u> <u>hot</u> <u>Sorth</u> <u>1</u> <u>M</u> <u>1</u>	Address 5924		ID 83814
County		CECDA Tributary to Sfo	Kane River
Location of place of use <u>NF</u> <u>%</u> <u>SW</u> <u>%</u> Sec. <u>20</u> Township <u>SON</u> , Range <u>H12</u> B.M., County <u>Kop}tnai</u> Proposed use of water <u>Agricultural - Water for gardens</u> <u>Iw hot Weather</u> <u>Amount of water:</u> Maximum rate of diversion <u>cfs or <u>35</u> gpm. Maximum daily volume <u>AF</u>; Total volume <u>0.5</u> <u>AF</u>. Duration of diversion: From <u>May3 st</u> to <u>Oct.3076</u> Day-month Day-month Proposed diverting works <u>3½ hp Gas prump and 3" Suction</u> <i>size</i> Who owns the property at the requested point of diversion? <u>Fdaho Fibb é Game</u> Describe the arrangement allowing access to the water <u>Ventual agreet meent</u> <u>with FéG</u>.</u>	. Location of point of diversio	n $5\mathcal{W}$ <sup>1</sup> / <sub>4</sub> $5$ $E$ <sup>1</sup> / <sub>4</sub> Sec. 9 Township $49\mathcal{W}$ , Rang	ge <u>3</u> W B.M.,
County Korstenai Proposed use of water <u>Agricultural - Water for gardens</u> <u>IN hot Weather</u> <u>Amount of water</u> Amount of water: Maximum daily volume <u>Cfs or 35</u> gpm. Maximum daily volume <u>AF; Total volume 0.5</u> AF. Duration of diversion: From <u>May 3 st</u> to <u>Oct. 307 h</u> Day-month Proposed diverting works <u>312 hp Gas prump and 31 Suction</u> (2007) Who owns the property at the requested point of diversion? <u>Fdabo Fibh É Game</u> Describe the arrangement allowing access to the water <u>Ventual agreentment</u> with FEG.	•		1 - 1 8
Proposed use of water <u>Agricultural</u> <u>water for gardens</u> <u>IN hot Weather</u> <u>Amount of water</u> <u>Amount of water</u> <u>Maximum rate of diversion</u> <u>cfs or <u>35</u> gpm. <u>Maximum daily volume</u> <u>AF; Total volume <u>0.5</u> AF. <u>Duration of diversion: From <u>May31st</u> to <u>Oct. 307h</u> <u>Day-month</u> <u>Proposed diverting works <u>312 hp Gas prump and 31 Suction</u> <u>Who owns the property at the requested point of diversion? <u>Idabo Fibb é Game</u> <u>Describe the arrangement allowing access to the water <u>Ventual games meant</u> <u>with FéG</u></u></u></u></u></u></u>	. Location of place of use	JE 1/4 5W 1/4 Sec. 20 Township 50 N, Rang	е <u>н</u> ]) В.М.,
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Maximum rate of diversion $cfs$ or $J_5$ gpm. Maximum daily volume $AF$ ; Total volume $0.5$ $AF$ . Duration of diversion: From $May3 st$ to $Oct.30Th$ Duration of diversion: From $May3 st$ to $Oct.30Th$ Day-month Proposed diverting works $3'2$ hp Gas primp and $3''$ suction $i = 1$ in Who owns the property at the requested point of diversion? $Idabs$ $Fish \notin Game$ Describe the arrangement allowing access to the water $VenNul \ agaretimeent \ with F \notin G$ .			
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Duration of diversion: From <u>May3 st</u> to <u>Oct. 30Th</u> Day-month Day-month Proposed diverting works <u>31/2 hp Gas primp and 31 Suction</u> (in Who owns the property at the requested point of diversion? <u>I dabs Fish &amp; Game</u> Describe the arrangement allowing access to the water <u>Vervul agreezement</u> with F&G	Maximum rate of diversion _	cfs or 25 gpm.	
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Describe the arrangement allowing access to the water $Ven V_n (game = ment with F \in G)$	Proposed diverting works	31/2 hp Gas pump and	3 Suction in
0	Who owns the property at the	equested point of diversion? $I daba Fibb \epsilon$	Gume
Remarks	Describe the arrangement allow	ving access to the water <u>Venyu ( gavermen</u>	t with FEG.
	Remarks		
			×.

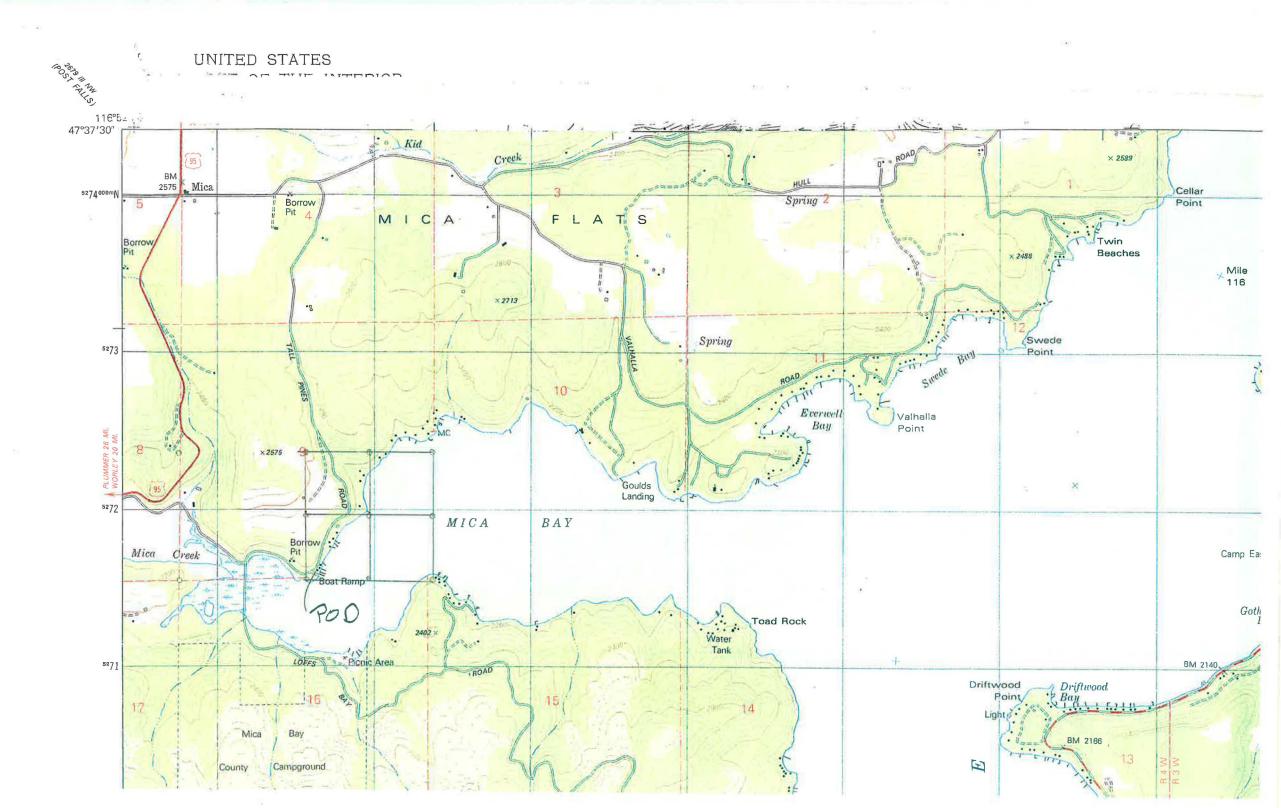
I hereby acknowledge that I assume all risk if the diversion and use of the water under this approval injures other water rights. I certify this is a temporary use and that I am not seeking a continuing right to use water.

Date

Elemb and

Applicant





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## 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,

antelin/

Keith E. Franklin Senior Water Resource Agent

Enclosure



## 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 DAVID R. TUTHILL, JR. Director

July 2, 2007

MARY TERRA BERNS 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



Encl/kf



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C. L. "BUTCH" OTTER Governor

DAVID R. TUTHILL, JR. Interim Director

## FAX TRANSMITTAL COVER SHEET

DATE:	7-2-07
TO:	Mary Terra Berns
FAX #:	208-769-1418

PHONE NO:

(208) 762-2800

FROM:

IDWR

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

DOCUMENT I	Description: Application to temporarily appropriate Dater from Lake Coeur d'Alene.
TOTAL PAGE	S SENT: PLUS (+) COVER SHEET
CONTACT:	(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.

FAXED

FAX NO: (208) 762-2819