

TP-95-69

Received by db Date 4/4/07 Time 1:22 p  
\$50.00 fee receipted by db # N018252 Date 4/4/07  
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 5 AF and a maximum rate of diversion of 0.5 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 26 day of April, 2007

Robert G Haynes

For the Director

Form 202a

Ident. No.

TP-95-69

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION  
(5 AF or less)RECEIVED  
APR 13 2007  
NorthName of Applicant Lakes Highway District Phone 208-772-7527Post Office address PO Box 460, Hayden, ID 838351. Source of water Various lakes and streams  
In Lakes Hwy District Tributary to \_\_\_\_\_2. Location of point of diversion 1/4 1/4, Sec. Various Township 51, 52, + 53N Range 2, 3 + 4WB.M., County Kootenai3. Location of place of use 1/4 1/4, Sec. \_\_\_\_\_ Township \_\_\_\_\_, Range \_\_\_\_\_Various Roads in Lakes Hwy District  
B.M., County Kootenai4. Proposed use of water Water will be used to stabilize gravel roads, dust  
emission + for road construction

## 5. Amount of water:

Maximum rate of diversion .5 cfs or 244 gpm.

Volume:

Max. daily vol. .10 AF, Total vol. 5 AF.6. Duration of diversion: From April 2, 2007 to December 31, 2007  
Day-month Day-month7. Proposed diverting works 3,000 gallon Tanker Truck8. Who owns the property at the requested point of diversion? State of Idaho and Lakes Hwy. District9. Describe the arrangement allowing access to the water Access is from Lakes Hwy. DistrictRight-of-way

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.

March 29, 2007  
DateBonny A. Jagg  
Applicant



Mailing Address: PO Box 460, Hayden, Idaho 83835  
11341 N. Ramsey Road, Hayden, ID 83835  
Phone (208)772-7527 Fax (208)772-7411

## MEMORANDUM

TO: Keith Franklin  
CC:  
SUBJECT: Water Appropriation Request  
DATE: April 12, 2007  
FROM: Bonny

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RECEIVED  
APR 13  
IDWR/Not

Hi Keith~

As per our conversation yesterday, I am enclosing a map with the following locations marked where Lakes Highway District will draw water from.

1. Toblers Marina – Hayden Lake
2. Mokins Bay – Hayden Lake
3. Sportsman Access – Hayden Lake
4. Twin Lakes Boat Launch – Twin Lakes
5. Spirit Lake Boat Launch – Spirit Lake
6. Sage Creek – Bunco Road
7. Lewellen Creek – Lewellen Creek Road

You also indicated the item #3 regarding the places of use which are various roads in Lakes Highway District, was ok. The enclosed map shows our entire district in Sections, Townships and Ranges.

Thanks for you help Keith, and if you need any additional information for our application to be processed, please give me a call. Have a great day!!

Bonny

*Bonny*  
"

R6W

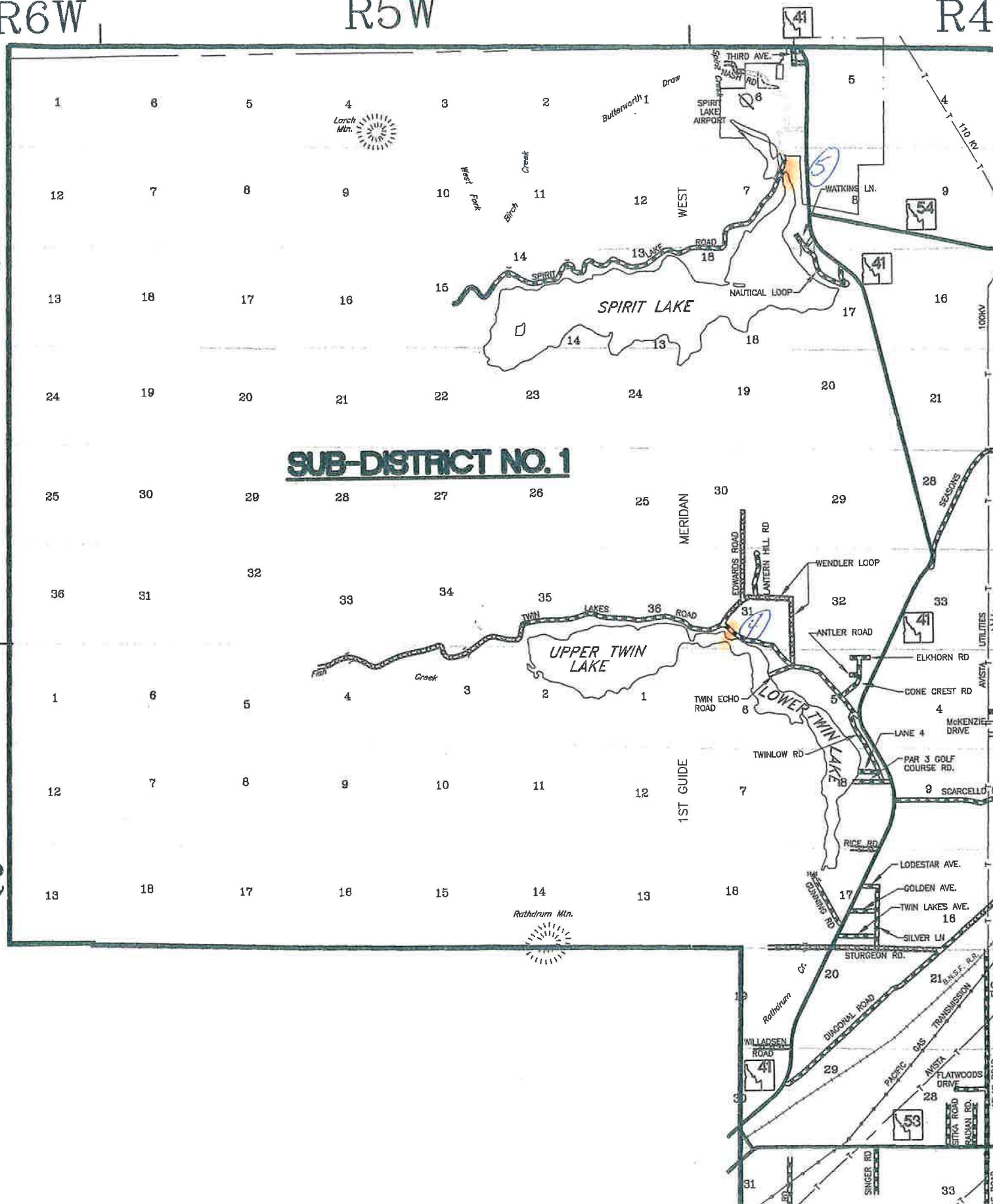
R5W

R4

T3

T2

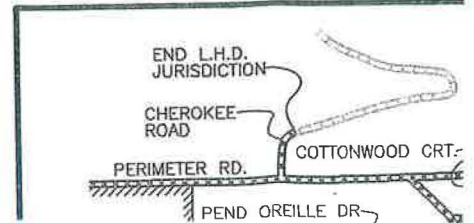
**SUB-DISTRICT NO. 1**







NOTE:  
See DALTON GARDENS, H.  
for enlargement of this





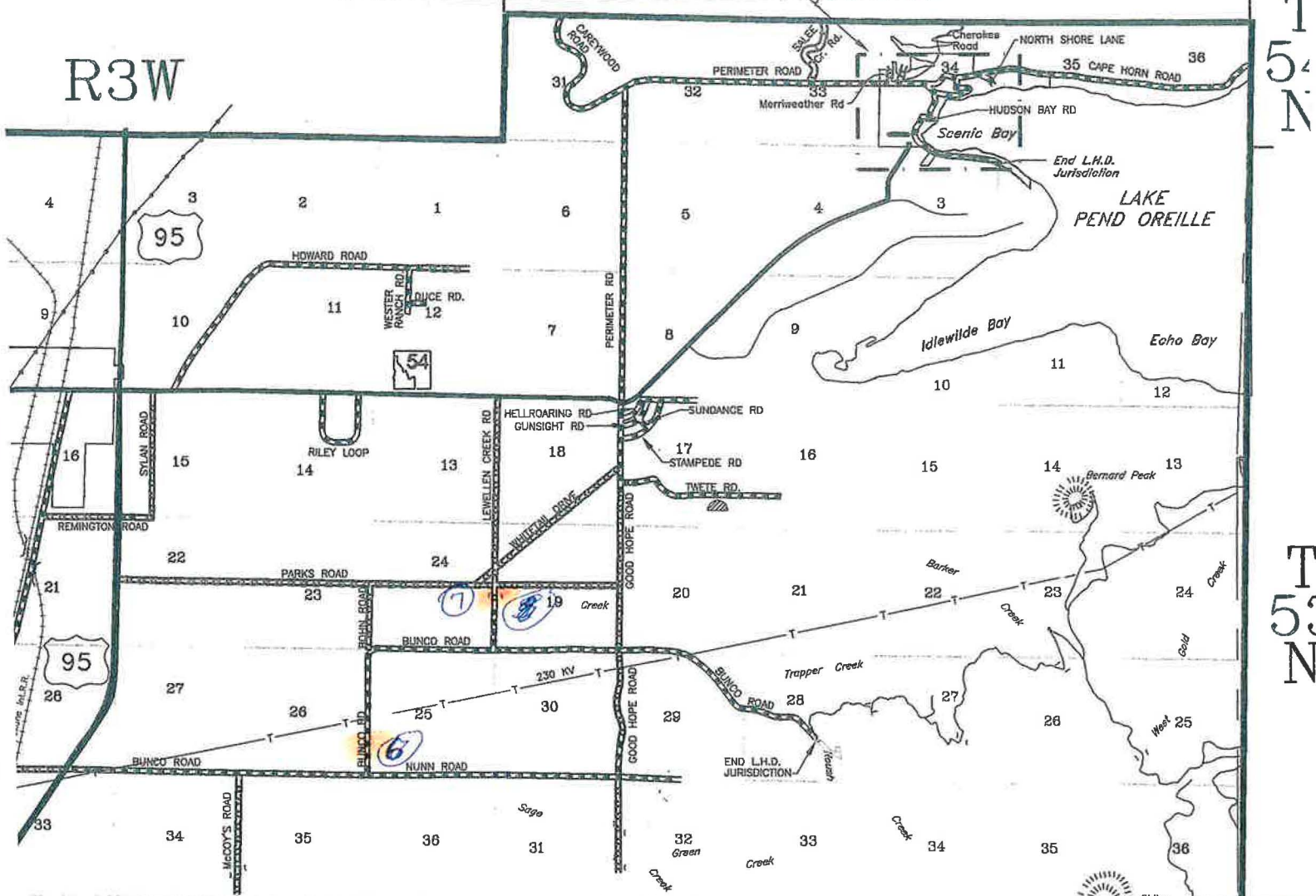
NOTE:  
See BAYVIEW & VICINITY MAP this sheet  
for enlargement of this area.

R2W

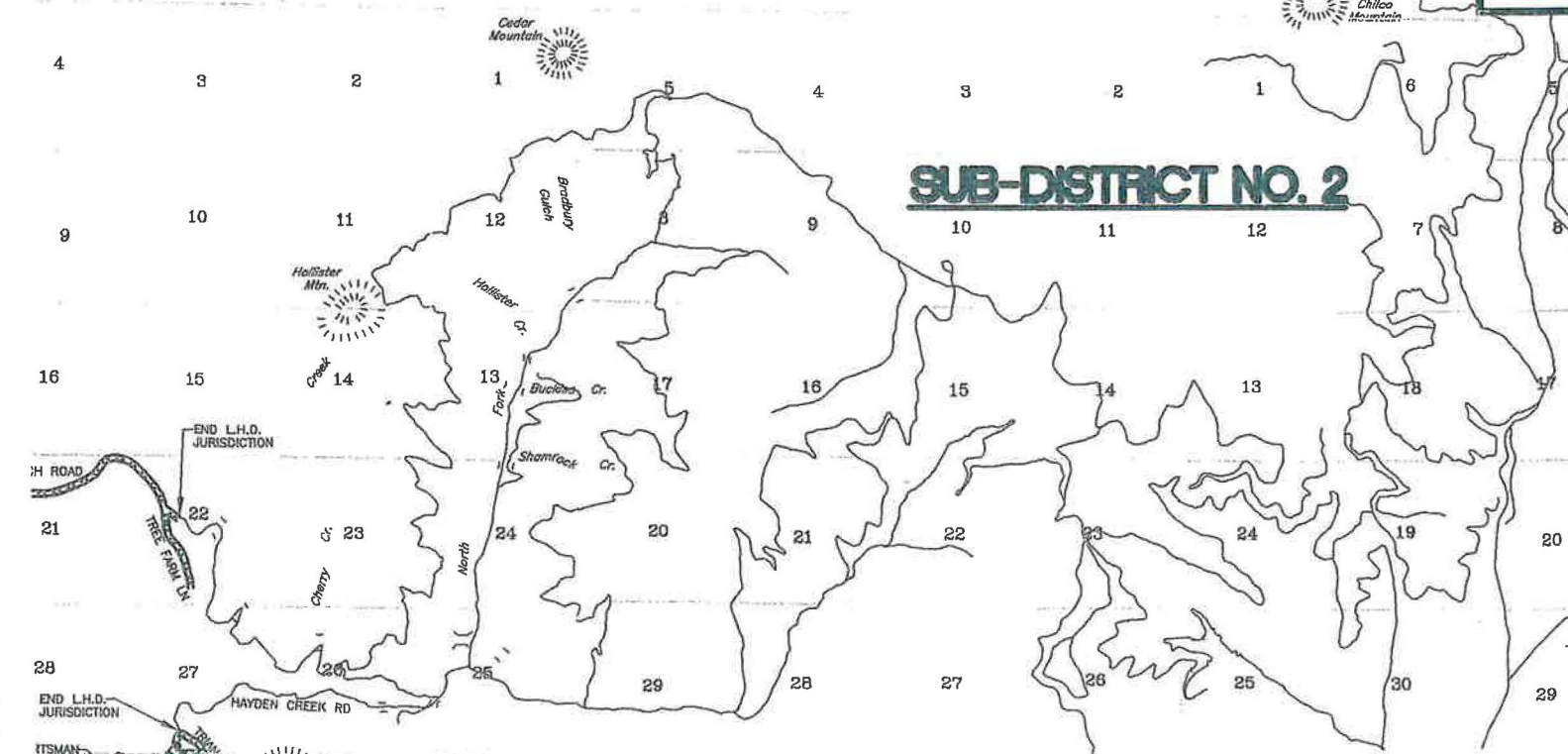
R3W

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**SUB-DISTRICT NO. 2**





State of Idaho

DEPARTMENT OF WATER RESOURCES

7600 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)

NORTHERN REGION

04/26/2007

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Interim Director

LAKES HIGHWAY DISTRICT  
PO BOX 460  
HAYDEN ID 83835

RE: Temporary Permit No. TP-95-69

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-95-69.

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



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: 4/17/07  
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](http://www.idwr.state.id.us/info/forms.htm)

DOCUMENT DESCRIPTION:

App. For Temp. Permit For  
LAKEs Highway Dist.

TOTAL PAGES SENT: 6 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

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

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NORTHERN REGION

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Interim Director

April 17, 2007

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 5.0 acre-feet of water from various locations on Hayden Lake, Twin Lakes, Spirit Lake, Sage Creek and Lewellen Creek, by the Lakes Highway District for road construction water. A copy of the application is attached for your reference.

Would you please submit your comments no later than April 25, 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](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

**FAXED**

No comments received. 4/26/07.  
KJ