

TP-87-30

Received by [Signature] Date 7/25/07 Time 1:40p
\$50.00 fee receipted by [Signature] # N018566 Date 7/25/07
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 4.5 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 10/15/07.
 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 3 day of August, 2007.

[Signature: Robin G. Haynes]
For the Director

RECEIVED

JUL 25 2007

IDWR/North

Indent. No.

TP-87-30

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION

(5 AF of less)

* SPOKANE, 509-922-8401

SEATTLE; 253-872-7173

Name of Applicant SCARSELLA BROTHERS, INC

Phone

* P.O. Box 1543, VERADALE WA, 99037

Address P.O. Box 68697, SEATTLE WA, 98168-0697

- Source of water PALOUSE RIVER Tributary to SNAKE RIVER
- Location of point of diversion NW 1/4 NW 1/4 Sec. 10 Township 41N, Range 5W B.M.,
County LATAH
- Location of place of use 1/4 Sec. 3, 4, 5, 6 Township 41N, Range 5W B.M.,
County LATAH
- Proposed use of water ROAD RECONSTRUCTION FOR IDAHO TRANSPORTATION
DEPARTMENT, STATE HIGHWAY 6: DUST CONTROL, COMPACTION
CONCRETE TREATED BASE.
- Amount of water:
Maximum rate of diversion _____ cfs or 100 gpm.
Maximum daily volume 0.06 AF; Total volume ~4.5 AF.
- Duration of diversion: From 7/30/07 to 6/1/08 (WINTER SHUT DOWN 10/15/07 to 4/1/08; NO USE)
Day-month Day-month
- Proposed diverting works PORTABLE DIESEL PUMP TO STAND TANK
- Who owns the property at the requested point of diversion? DON NYGARD
- Describe the arrangement allowing access to the water NYGARD OWNS A ROCK QUARRY WHERE
SCARSELLA WILL BE MANUFACTURING THE ROCK NECESSARY TO
THE PROJECT
- 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.

7/25/07

Date

Applicant

* Contact location



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

08/07/2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

SCARSELLA BROTHERS INC
PO BOX 1543
VERADALE WA 99037

RE: Temporary Permit No. TP-87-30

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-87-30 .

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



IDAHO DEPARTMENT OF FISH AND GAME

CLEARWATER REGION

3316 16th Street
Lewiston, Idaho 83501

C.L. "Butch" Otter/Governor
Cal Groen/Director

July 31, 2007

RECEIVED
AUG 03 2007
IDWR/North

Mr. Keith Franklin
Idaho Department of Water Resources
7600 Mineral Drive, Suite 100
Coeur d'Alene, ID 83815

Dear Mr. Franklin:

Re: APPLICATION FOR TEMPORARY WATER APPROPRIATION – SCARSELLA BROS.

Scarsella Bros., Inc. has applied for a temporary water appropriation 0.06 AF maximum daily withdrawal, total withdrawal of approximately 4.5 AF from the Palouse River for dust abatement and compaction of concrete for a highway construction project. The application states that the water is needed from August 1, 2007 to October 15, 2007 and from May 1 to May 31, 2008.

Fish and Game does not believe a proposed withdrawal maximum of 0.06 AF per day will have adverse impacts to fish, wildlife or habitat in the Palouse River. We recommend, however, that the permit clearly state that withdrawals may be made only during the 8/1 – 10/15/07 and 5/1 -- 5/31/08 work windows specified in the application. At no time should the withdrawal reduce stream flows to below those needed to support beneficial uses.

Thank you for the opportunity to comment. Please contact Ray Hennekey, Clearwater Region Environmental Staff Biologist, if you have any questions.

Sincerely,

Dave Cadwallader
Clearwater Regional Supervisor

DC/rh

c: Tracey Trent



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

FAX TRANSMITTAL COVER SHEET

DATE: 7/26/07

TO: Ray Hennekey

FROM: IDWR

FAX #: 208-199-5012

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

DOCUMENT DESCRIPTION:

Application For A Temporary Water
Appropriation.

TOTAL PAGES SENT: 3 PLUS (+) COVER SHEET

CONTACT:

Keith S. Sanderson
(NAME OF SENDER)

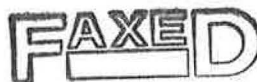
CHARGES: One (1) free copy per request, cover sheet not included. Two (2) or more copies per request are \$0.25 per page with a \$0.50 minimum

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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



State of Idaho

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

July 26, 2007

RAY HENNEKEY
IDAHO DEPARTMENT OF FISH & GAME
3316 16TH STREET
LEWISTON, ID 83501

Re: Application For a Temporary Approval of a Water Appropriation

Dear RAY:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding an application to temporarily appropriate 4.5 acre-feet of water from the Palouse River within Latah County, for road construction water. A copy of the application is attached for your reference.

Would you please submit your comments no later than August 3, 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