



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 24, 2015

POWER COUNTY HIGHWAY DISTRICT
PO BOX 513
3090 LAMBWESTON RD
AMERICAN FALLS, ID 83211

RE: Copy of Temporary Water Right Application: TP-41-07, TP-41-08 & TP-41-09

Dear Power County:

Enclosed is a copy of the above referenced approved Application for Temporary Approval of Water Appropriation Permit(s).

If you have any questions, please feel free to contact this office, and any of our agents will be able to assist you.

Sincerely,

A handwritten signature in cursive script that reads "Denise Maline".

Denise Maline
Administrative Assistant

Enclosure

cc: James Robinson, Water District 41

RECEIVED

RECEIVED

Form 202A 07/13

FEB 12 2015

ID No. TP-41-09

FEB 20 2015

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT OF WATER RESOURCES
SOUTHERN REGION**APPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION**

(For a use not intended to become an established water right, not to exceed a total diverted volume of five (5) acre-feet, and not to exceed one (1) year duration in accordance with Section 42-202A, Idaho Code.)

Name of applicant: Power County Highway District Phone: 208-226-2661
 Mailing address: P.O. Box 513 3090 Lambweston Road City: American Falls
 State Idaho ZIP 83211 Email: power4@dcidi.net

1. Source of water: Rock Creek tributary to Snake River
 2. Location of point(s) of diversion:

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #
T9S	R30E	15		NE	NW		Power	Rock Creek	

3. Location of place of use: Large place of use. See attached map.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

4. Describe proposed use of water: This water will be used for road building and dust control of new and existing roads.

5. Amount of water:

Maximum rate of diversion _____ cfs or 350 gpm.

Maximum daily volume .106 AF; total volume 5.0 AF.

6. Duration of diversion: from 1-1-2015 (day-month) to 12-31-2015 (day-month).

7. Describe proposed diverting works: Portable pumps are used to pump into water trucks.

8. a. Who owns the property at the requested point of diversion? Diversions points are on right of ways at crossings.

b. Who owns the land to be irrigated or place of use? Power County Highway District

c. If the property is owned by a person other than the applicant, describe the arrangement allowing access to the water:
No private property is accessed for this diversion.

9. Additional remarks: The majority of this water is used in April and May to apply mag-chloride to gravel roads.
In addition water will be used for new road construction.

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.

Albert Hofmeister
 Signature of applicant

2-9-15
 Date

Received by Eastern Date 2-12-2015 Time _____
 \$50.00 fee receipted by EA # E040640 Date 2-12-2015
 Watermaster comments received? ✓ Date 2/23/15

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 5.0 AF and a maximum rate of diversion of 0.78 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 does not create a continuing right to use water.
 7. 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 values.
 8. Other: See attached sheet for additional conditions
 9. This approval expires on 12/31/2015.

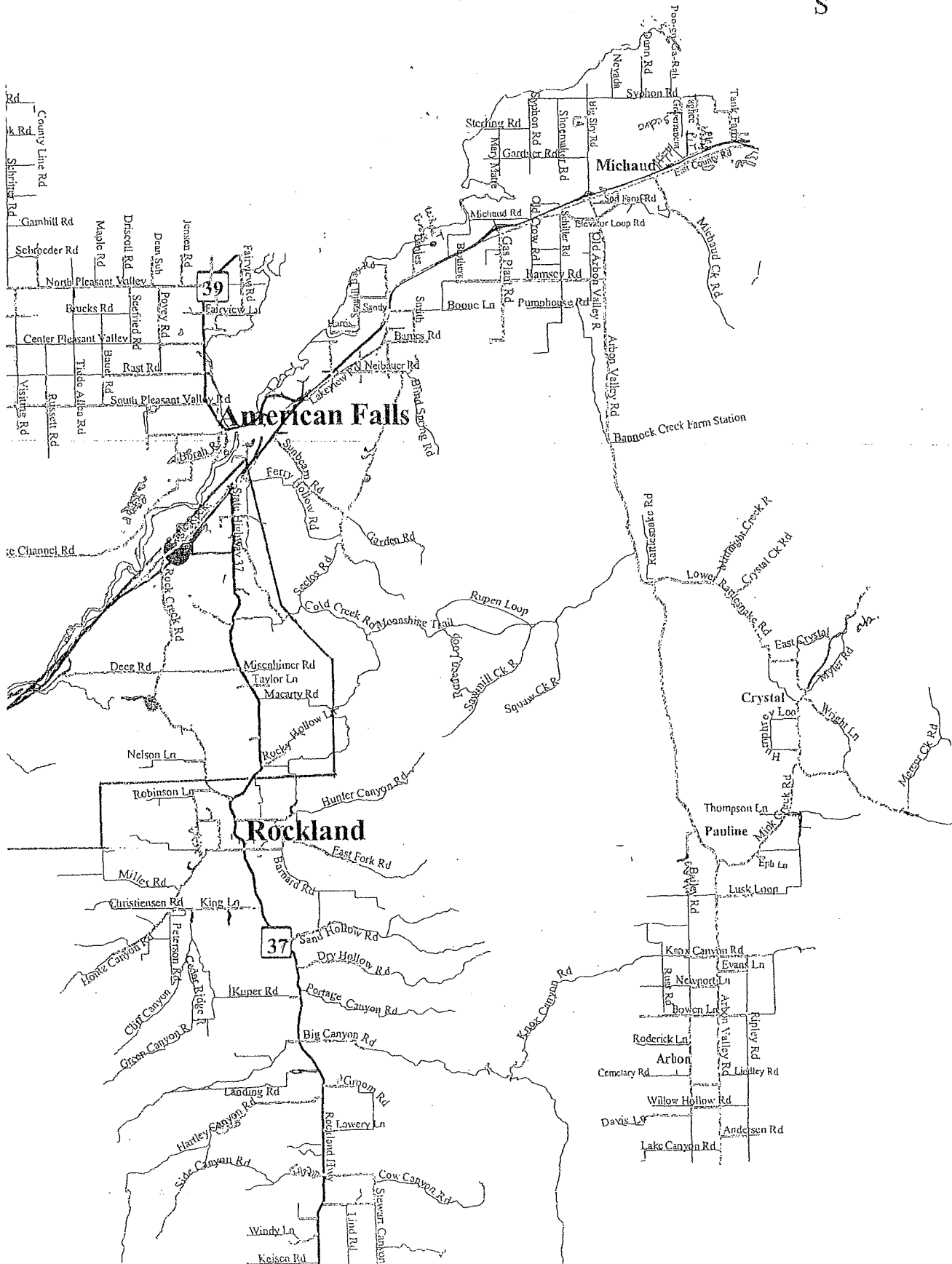
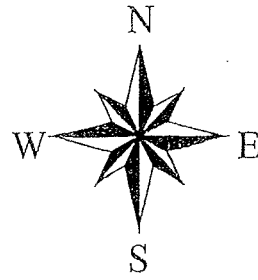
Signed this 23rd day of February, 2015


For the Director

TP-41-09

ADDITIONAL CONDITIONS OF APPROVAL FOR TEMPORARY
PERMIT NOS. TP-41-07, TP-41-08 and TP-41-09

- Diversion must be screened to meet IDF&G requirements. Please call 208-324-4359 for specifications.
- All equipment involved with transporting water shall be treated/sterilized to avoid spread of invasive aquatic species prior to use. If equipment involved with transporting water has been moved into Idaho from another state (Particularly from NV, CO, UT, AZ, CA or TX) contact ISDA for an inspection. We recommend contacting ISDA (Amy Ferriter @ 208-332-8686) for treatment recommendations.
- Subject to regulation by watermaster of Water District 41.



TP-41-09

Memorandum

Date: February 23, 2015

To: Temporary Permit File

From: Bill Mills

RE: Application for Temporary Approval of Water Appropriation

Application proposes the diversion of a volume up to 0.106 af per day, with a maximum total diversion of 5 af for road building and dust control in the northern portion of Power County from 1/1/2015 to 12/31/2015. Proposed point of diversion is on the Rock Creek in the NENW1/4 of Sec. 15, Twp 9S, Rge 30E. The majority of the water will be utilized in April and May for the application of mag-chloride on gravel roads. Watermaster for Water District 41, James Robinson, stated has no concerns regarding the diversion of the water prior to his having to make priority cuts, but stated he typically has to make cuts starting around Memorial day (depending on water availability) and that he will let the Highway District know if they need cease diverting water. I also spoke with Dave Teuscher, Regional Manager for Idaho Fish and Game at the Pocatello Regional Office, and he has no concerns with the proposed appropriation as long as the diversion is screened and equipment is treated/sterilized to prevent the spread of invasive aquatic species.