

RECEIVED

DEC 10 2015

DEPT OF WATER RESOURCES  
SOUTHERN REGIONSTATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESID No. TP-37-73

## 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: Blaine County Road & Bridge Department Phone: (208) 788-5543Mailing address: 206 S. 1st Avenue, Suite 304 City: HaileyState Idaho ZIP 83333 Email: tduffy@co.blaine.id.us; jloomis@co.blaine.id.us1. Source of water: Fish Creek Reservoir (see narrative attached) tributary to (see narrative attached)

2. Location of point(s) of diversion:

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #
1S	22E	9		SE	S1/2		Blaine	Fish Creek Reservoir Dist.	

3. Location of place of use:

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 Blaine County Road & Bridge will use water to fill water trucks for use in County roadway maintenance and construction activities, in the area of Blaine County roughly defined as, east of Littlewood Reservoir Road.

5. Amount of water:

Maximum rate of diversion \_\_\_\_\_ cfs or 225 gpm.Maximum daily volume 0.99 AF; total volume \_\_\_\_\_ AF.6. Duration of diversion: from determined by FCWD (day-month) to determined by FCWE (day-month).7. Describe proposed diverting works: 3" pipe works approved by Fish Creek Water District, operated by BCR&B8. a. Who owns the property at the requested point of diversion? Blaine Countyb. Who owns the land to be irrigated or place of use? various public roadways in east Blaine County

c. If the property is owned by a person other than the applicant, describe the arrangement allowing access to the water:

9. Additional remarks: Please see narrative for a description of the transfer of 3 shares of Blaine County's 50 shares of Fish Creek Reservoir District water from irrigation use to roadway maintenance and construction use.

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.

Signature of applicant (FOR TOM DUFFY, BCR&B) Date 12/03/2015Received by DM Date 12.10.2015 Time 12:30 PM  
\$50.00 fee receipted by DM # 5035156 Date 12-16-2015  
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 3.0 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 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 Aug 1, 2016.

Signed this 21<sup>st</sup> day of December, 2015.

  
For the Director

ADDITIONAL CONDITIONS OF APPROVAL FOR TEMPORARY  
PERMIT NO. TP-37-73

- 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 37U and Fish Creek Water District.
- This use is mitigated by shares held by Blaine County in the Fish Creek Irrigation District. Use of this permit is limited to the availability of shares being offered as mitigation. In no event shall water be diverted in excess of 3.0 AF or the volume of water available for the shares offered as mitigation (whichever is smaller).
- It is expected that shares will not be available for the entire irrigation season so this permit expires at the end of the irrigation season or when determined by Fish Creek Irrigation District (whichever is sooner).
- Water diverted shall be measured and accounted for in a manner acceptable to the watermaster and Fish Creek Water District.

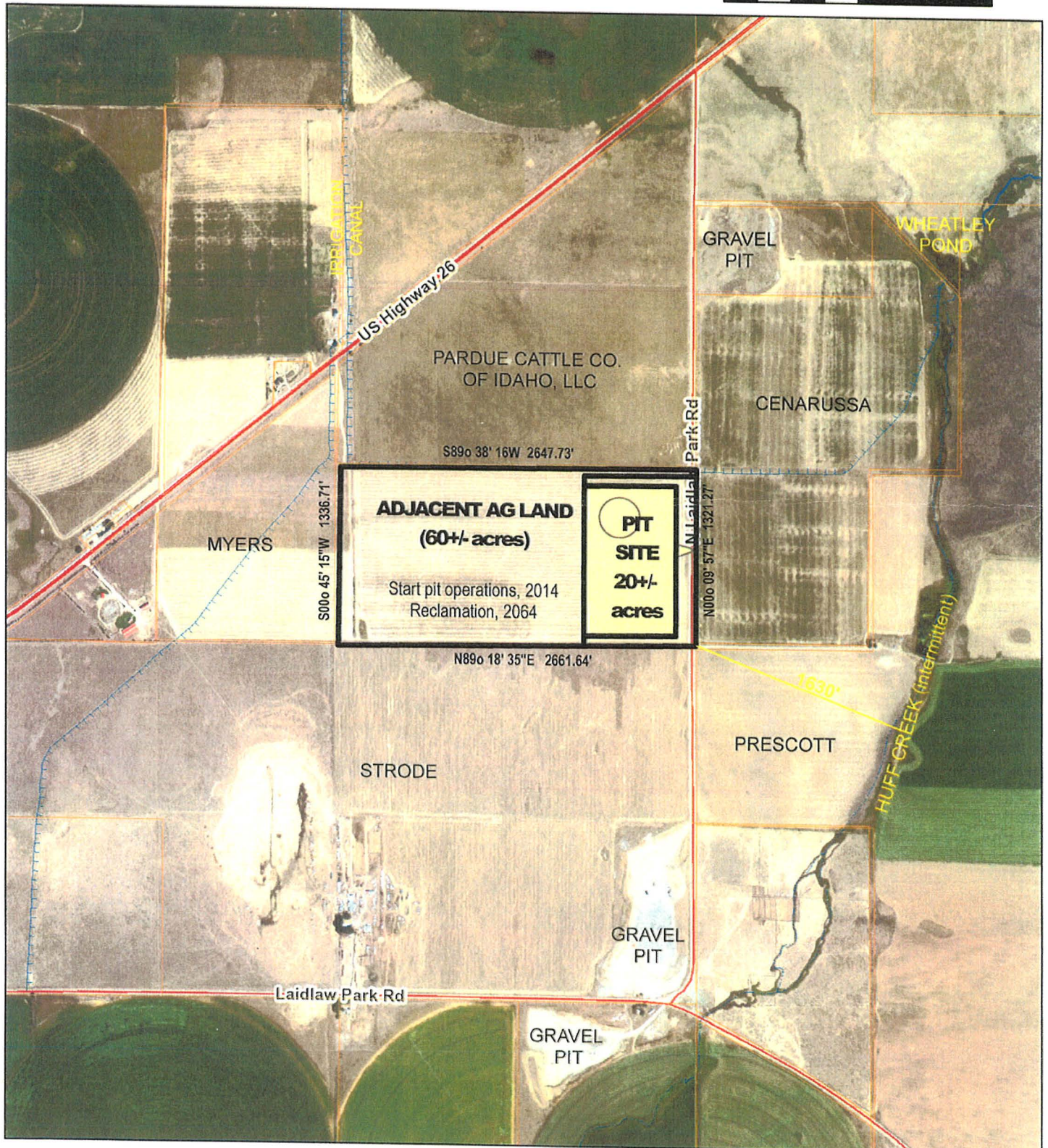


BLAINE COUNTY ROAD & BRIDGE DEPARTMENT  
KENWORTHY GRAVEL PIT

# SITE LOCATION MAP

S1/2 of the SE1/4, Section 9, T1S, R22E

1,000 500 0 1,000 Feet





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](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

December 21, 2015

BLAINE COUNTY ROAD & BRIDGE DEPARTMENT  
206 S 1<sup>ST</sup> AVE, STE 304  
HAILEY, ID 83333

RE: Temporary Water Right Application: TP-37-73

Dear Applicant(s):

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: Lawrence Kimball, Water District 37-U



**MEMORANDUM**

**Date:** December 17, 2015

**To:** Application for Temporary Approval of Water Appropriation

**From:** Jana Reeder

**Re:** Blaine County Operations

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Application proposes to divert water from the Fish Creek Irrigation District pipe line to fill water trucks for use in county roadway maintenance and construction activities in Blaine County. Blaine County has 50 shares of the Fish Creek Irrigation District and the application proposes that Blaine County set aside 3 shares for this use. The Fish Creek Irrigation District will determine the duration of the diversion by the availability of water for the irrigation season.

I spoke with Lawrence Kimball, water master of Water District 37U on 12/18/15 regarding the application and he indicated he had no objections to the application. This will be the third year in a row that Blaine County has filed this same temporary application. Jeff Loomis indicated in his narrative that this will be an annual application. No negative impact anticipated.

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DEPT OF WATER RESOURCES  
SOUTHERN REGION

December 03, 2015

Idaho Department of Water Resources  
Southern Region  
650 Addison Avenue, W., Suite 500  
Twin Falls, Idaho 83301-5858

**RE: APPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION**  
Blaine County Road & Bridge Department – Fish Creek Reservoir Company  
Water Shares Transfer of Use Narrative

Dear Administrator:

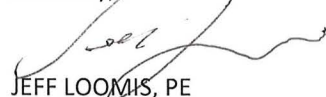
The Blaine County Road & Bridge Department (BCRB) desires to continue to utilize a portion of Blaine County's fifty (50) Fish Creek Reservoir Company water shares for county roadway maintenance and construction (i.e. non-irrigation) activities during the 2016 irrigation season. These water shares are associated with an 80-acre parcel of land situated west of North Laidlaw Road, in the S1/2 of the SE1/4 of Section 9, Township 1S, Range 22E, B.M., in Blaine County (see attached Site Location Map). BCRB operates a gravel pit on this 80-acre parcel, and desires to transfer three (3) of the available water shares from irrigation use to roadway maintenance and construction use through an IDWR Application for Temporary Approval of Water Appropriation. This letter is a narrative of the desired transfer of use of the water, and is intended to supplement IDWR Form 202a (attached).

I understand water share allocation from the Fish Creek Reservoir Company for the 2016 irrigation season has not been determined, yet. Last year, twelve-percent (12%) of the water shares, or six (6) shares associated with this property owned by Blaine County were available for delivery. The Fish Creek Reservoir Company determines the duration of the diversion. That is, water is available for diversions when users first call for delivery of water in an irrigation season, and the duration of delivery lasts until the irrigation season ends, or water rights are exhausted. The BCRB desires to utilize three (3) of the available water shares from the Fish Creek Reservoir Company associated with this property to fill water trucks for use on county roadway maintenance and construction work. One share is equivalent to approximately 225 gpm for a 24-hour period, or 0.99 acre-feet. BCRB's use will be intermittent throughout the availability of the water delivery duration, but never in excess of 225 gpm. Conveyance from the reservoir to the northwest corner of the property has been improved by the Fish Creek Reservoir Company, and the point of diversion is a metered, 3" diameter pipe works on the parcel. BCRB crews will fill the water trucks on the parcel.

BCRB understands the limited availability of this water, and that the temporary change of use is good for only this 2016 irrigation season. If the BCRB desires to continue to use this irrigation water from the Fish Creek Reservoir Company for road maintenance and construction purposes beyond the 2016 irrigation season, a similar temporary change of use/temporary approval for water appropriation will need to be applied for each year.

Please let me know if you have questions, or need additional information, regarding this application.

Sincerely,



JEFF LOOMIS, PE  
Blaine County Engineer

encl.