

JUN 13 2016

ID No. TP-37-80DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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: Staker Parson Companies DBA Idaho Materials and Construction Phone: 208-733-5933Mailing address: 1310 Addison Ave. West City: Twin FallsState ID ZIP 83301 Email: chris.cardinet@stakerparson.com1. Source of water: Richfield Canal tributary to _____

2. Location of point(s) of diversion:

TWP	RGE	SEC	GOVT LOT	¼	¼	¼	County	Source	Local name or tag #
02S	18E	33		SE	SE	SE	Blaine	Richfield Canal	

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: Water will be used for road construction project involving paving and bridge repairs on State Highway 75 between the Richfield Canal bridge and the Timmerman Rest Area. Water use will be for dust suppression and asphalt processing. * SH-75 between T02S, R18E, Sec. 33 SESE and T01S, R18E, Sec. 14, SESE.

5. Amount of water:

Maximum rate of diversion _____ cfs or 600 gpm.Maximum daily volume 0.07 AF; total volume 0.31 AF.6. Duration of diversion: from 7/11/2016 (day-month) to 8/31/2016 (day-month).7. Describe proposed diverting works: Suction pump with standpipe.8. a. Who owns the property at the requested point of diversion? BLMb. Who owns the land to be irrigated or place of use? State of Idaho

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

Will seek permission from BLM and Big Wood Canal Co. for POD, POU is ITD project.9. Additional remarks: IM&C will need approximately 100,000 gallons for project. Uses of water will be for spraying asphalt rollers to keep asphalt from sticking, dust suppression, and removal of top layer concrete bridge decking, and cleaning concrete and asphalt surfaces.

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

Date

Received by JB/DM Date 6-13-2016 Time 12:00 PM
\$50.00 fee received by DM # 8035515 Date 6-13-2016
Watermaster comments received? ✓ Date 6-14-2016

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 0.31 AF and a maximum rate of diversion of 1.34 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 9/30/2016.

Signed this 24 day of June, 2016.

Douglas K. Jones
For the Director

ADDITIONAL CONDITIONS OF APPROVAL FOR TEMPORARY
PERMIT NO. TP-37-80

- The pump intake shall be screened with ¼" mesh or smaller to avoid entraining juvenile fish.
- 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 37.
- Subject to private agreement with Big Wood Canal Co. &/or AFRD#2.

6/27/16 D. Jones

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TP-37-80

Ice Caves

2640

S-7

Operator: Staker & Parson

Stockholder: Staker & Parson Companies, a UT Corp.

No. Shares: 351.000

Cert No.: 12640 Jul 2007 Old No: 10294

Land Desc: S1/2NE1/4, SE1/4NW1/4, E1/2SW1/4, SW1/4SW1/4, N1/2SE1/4, SW1/4SE1/4 21-2-18:

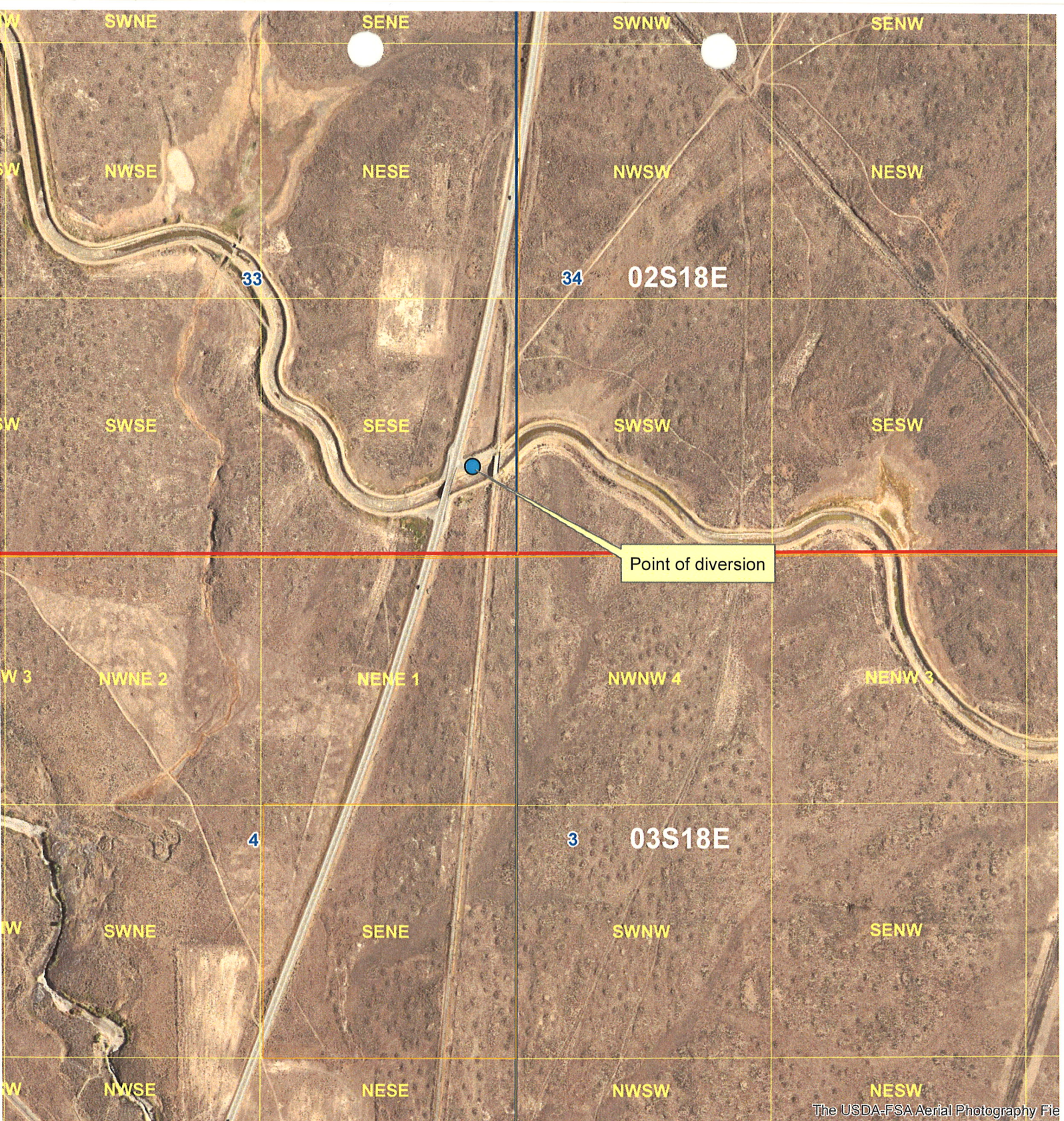
SW1/4NE1/4, N1/2NW1/4, NE1/4SW1/4, NW1/4SE1/4

28-3-18: NW1/4SW1/4, E1/2SW1/4, SW1/4SE1/4

33-3-18: SW1/4, W1/2NE1/4, N1/2SE1/4 3-4-18:

Sec.: 21, 28, 33-3 & 3-4 TWP: 3 & 4 Range: 18

Lien:





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

June 24, 2016

STAKER PARSONS COMPANIES DBA IDAHO MATERIALS & CONSTRUCTION
1310 ADDISON AVE W
TWIN FALLS ID 83301

RE: Copy of Temporary Water Right Application: TP-37-80

Dear Applicant(s):

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

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". The signature is written in dark ink and is positioned above the printed name and title.

Denise Maline
Administrative Assistant

Enclosure

cc: Kevin Lakey, Water District 37
Big Wood Canal Company

MEMORANDUM

Date: June 24, 2016
To: Temporary Application TP-37-80 File
From: Jim Bitzenburg
Re: Permission from relevant entities for application

Concerning Application for Temporary Approval of Water Appropriation TP-37-80; permission for the application was requested and received from the following entities:

- Big Wood Canal Company – Manager Lynn Harmon has been out of the office for surgery, so office manager Jane Sabala has been the contact person with the BWCC.
- Idaho Transportation Department – Mike Scott is the contact person with ITD's Shoshone office.
- Kevin Lakey – Watermaster for WD-37.
- Kasey Prestwich – Realty Specialist with the BLM Shoshone field office.

The email/reply from each entity is attached to this application.

**BIG WOOD CANAL COMPANY
AMERICAN FALLS RESERVOIR DISTRICT 2
409 NORTH APPLE STREET
SHOSHONE, ID 83352
208 886-2331**

June 25, 2016

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Dear Jim,

Big Wood Canal Company gives Staker Parson Companies, DBA Idaho Materials and Construction permission to temporarily use water out of the Richfield Canal north of Shoshone for a road construction project in July and August. Temporary water application ID No. TP-37-80.

Thank you,

Jane Sabala
Office Manager

Bitzenburg, James

From: Kevin Lakey [watermanager@cableone.net]
Sent: Tuesday, June 14, 2016 1:43 PM
To: Bitzenburg, James
Subject: RE: Temp App from Richfield Canal

Jim,
I have no concerns with this application.

Kevin Lakey
Water District 37

From: Bitzenburg, James [<mailto:James.Bitzenburg@idwr.idaho.gov>]
Sent: Monday, June 13, 2016 1:54 PM
To: Kevin Lakey
Subject: Temp App from Richfield Canal

Kevin-

I'm working on an Application for Temporary Appropriation (attached) from the Richfield Canal north of Shoshone. The attached map shows the specific location next to the Highway 75 crossing. The applicant has gotten verbal permission from the Big Wood Canal Company and I will also obtain permission from that entity. Apparently Staker Parson has shares in the Big Wood Canal Company which they are presently not using. Do you have any comments on this Application?

As always, thanks for your help.

Jim

Jim Bitzenburg
Water Resource Agent
Idaho Department of Water Resources
Southern Regional Office
Phone (208)-736-3033
Fax (208)-736-3037
james.bitzenburg@idwr.idaho.gov

Bitzenburg, James

From: Mike Scott [Mike.Scott@itd.idaho.gov]
Sent: Tuesday, June 14, 2016 3:57 PM
To: Bitzenburg, James
Cc: Todd Hubbard; Justin Price
Subject: RE: Water appropriation for ITD project - pump location
Attachments: IM&STempApp.pdf; DOC008.pdf

James-

Pumping at the location proposed within the Right of Way is acceptable to ITD since it is within the work area. Follow up with the BLM and the Big Wood Canal Company would be mandatory as noted on their application.

Thanks,

Michael Scott

District 4 ITD
216 S. Date Street
Shoshone, ID 83352
208-886-7806
Mike.Scott@itd.idaho.gov

From: Bitzenburg, James [<mailto:James.Bitzenburg@idwr.idaho.gov>]
Sent: Monday, June 13, 2016 4:10 PM
To: Mike Scott
Subject: Water appropriation for ITD project - pump location

Mike-

I am working on an Application for Temporary Appropriation of Water from Staker Parson Companies DBA Idaho Materials and Construction and they want to divert water from the Richfield Canal north of Shoshone to use in a project for ITD: ITD Project, SH-75, Richfield Canal to Timmerman Rest Area: Project A013(529), Blaine County. The pumping point appears to be in the ITD right-of-way (see attached map), but I'm assuming that since it is an ITD project, you would find that acceptable?

Thanks for your help and I hope things are going well for you.

Jim

Jim Bitzenburg
Water Resource Agent
Idaho Department of Water Resources
Southern Regional Office
Phone (208)-736-3033
Fax (208)-736-3037
james.bitzenburg@idwr.idaho.gov

Bitzenburg, James

From: Prestwich, Kasey [kprestwich@blm.gov]
Sent: Monday, June 13, 2016 3:05 PM
To: Bitzenburg, James
Subject: Re: Temporary water diversion out of Richfield Canal

Hi Jim,

The point of diversion shown on the map you provided is located within the ITD right-of-way. If ITD has approved this as part of their construction plans then the action would be considered as use necessary for highway purposes and is authorized through ITD's right-of-way. The serial number of the right-of-way is IDI-0-5167 and is 400 feet wide. I do not anticipate that we would need to provide any additional authorization for this use to occur as part of the road construction.

Hope this answers your question and provides you any information that you needed. If not please let me know if there is something more specific I can get you.

Thanks,

Kasey C. Prestwich
Realty Specialist
Shoshone Field Office
208.732.7204
kprestwich@blm.gov

On Mon, Jun 13, 2016 at 1:45 PM, Bitzenburg, James <James.Bitzenburg@idwr.idaho.gov> wrote:

Kasey-

I am working on an Application for Temporary Water Appropriation from the Richfield Canal for Idaho Materials and Construction involving road construction activities on State Highway 75 between the Richfield Canal crossing and the Timmerman Hill rest area (attached). They want to pump out of the Richfield Canal in the SESESE of Section 33, T02S, R18E, and on the tax lot layer on our ArcMap program, it shows the BLM as the administering agency of that QQ (attached map). The diversion point appears to be almost in the ITD highway right-of-way and upon the canal right-of-way. Does the BLM grant permission for this operation? We would like to get any comments you may have on the project. Please don't hesitate to give me a call if you have any questions. Thanks for your assistance.

Jim

Jim Bitzenburg

Bitzenburg, James

From: Cardinet, Chris (Staker & Parson) [Chris.Cardinet@stakerparson.com]
Sent: Monday, June 13, 2016 8:15 AM
To: Bitzenburg, James
Cc: Turpin, Brent (Idaho Sand & Gravel); Hutchins, Jeff (Idaho Sand & Gravel)
Subject: RE: Temp Application: ITD Richfield Canal to Timmerman Rest Area Project
Attachments: photo 1.jpg; photo 2.jpg; WaterRight37-21934 Ice Caves.pdf; WaterRight37-21932 Ice Caves.pdf; Water Shares - Ice Caves Pit.pdf

Jim,

The application for permit is for water use for the ITD Project, SH-75, Richfield Canal to Timmerman Rest Area: Project A013(529), Blaine County. The project is scheduled to begin on July 11, 2016 and complete by August 31, 2016.

Since our previous applications our company's name has changed from *Staker Parson Companies dba Idaho Sand & Gravel*, to *Staker Parson Companies dba Idaho Materials & Construction*.

IM&C will need approximately 100,000 gallons for the project. IM&C will use water for asphalt road construction in our asphalt rollers to keep asphalt from sticking to rollers, and for dust suppression; Additionally, our subcontractors will use water to jet/blast surface of concrete bridge for repairs and resurfacing. During paving operation it is estimated to use (1) one 3,500 water truck load of water per day. Paving operations to take place over (8) eight days; And, for bridge repair/resurface it is estimated to use (6) six, 3,000 water truck loads per day. Repair/resurface to take place over (4) days.

Water for the project is anticipated to be extracted from the Richfield Canal by use of a suction pump. The requested location for suction pump is 43° 12' 03.77" N, 114° 19 01.05"W. The suction pump flow rate is 600 gallons/minute. The suction pump flows to an overhead stand pipe for water truck filling. (See attached (2) photos pump/stand pipe). I spoke with Jane at the Big Wood Canal Company. She stated that once she had spoken to Lynn Harmon it would be permissible to extract water from the Richfield Canal as we already had water shares. (See attached Water Shares information).

Let me know if there is further information I can provide.

Thank you,

Chris Cardinet

IDAHO MATERIALS & CONSTRUCTION

1310 Addison Avenue W.

Twin Falls, Idaho 83301

Office (208) 733-5933

Fax (208) 734-6956

Cell (208) 280-2123



IDAHO

MATERIALS & CONSTRUCTION

**Formerly doing business as Idaho Sand and Gravel Co., Idaho Concrete Co. and International Stone. In an effort to streamline our customer experience we are changing our name to Idaho Materials & Construction to represent all of our local businesses. It is our intent to still be your "Preferred Source" and continue to exceed your expectations as one of our valued business partners.*

From: Bitzenburg, James [<mailto:James.Bitzenburg@idwr.idaho.gov>]
Sent: Friday, June 10, 2016 4:48 PM
To: Cardinet, Chris (Staker & Parson)
Subject: Temp Application

Chris-

Several questions have come to mind already:

What is the address for Idaho Materials and Construction? When we talked on the phone, you thought 30,000 gallons total would be needed, is that still correct? Another question, what approximate rate of flow will you be pumping out of the canal? What is the volume you'd be pumping out in a day? Is the use for dust suppression? Or just road construction?

Thanks for your help. I'm sure there'll be more questions.

Jim

Jim Bitzenburg
Water Resource Agent
Idaho Department of Water Resources
Southern Regional Office
Phone (208)-736-3033
Fax (208)-736-3037
james.bitzenburg@idwr.idaho.gov



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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

June 13, 2016

Lynn Harmon, Manager
Big Wood Canal Company
409 North Apple Street
Shoshone, ID 83352

RE: Staker Parson Companies DBA Idaho Materials and Construction Application for Appropriation

Dear Lynn:

I am working on an Application for Temporary Water Appropriation (enclosed) from the Richfield Canal north of Shoshone in the name of Staker Parson Companies DBA Idaho Materials and Construction. They have a road construction project this summer which will occur in July and August and will need up to 100,000 gallons total of water. Chris Cardinet from Idaho Materials has apparently been in contact with your office and it sounds like you are receptive to the idea. Could you send me a letter or email with your approval or disapproval of the Application? If you approve, are there any conditions you would like to have placed upon the permit?

Thank you for your assistance. If you have any questions, feel free to give me a call or email. My email address is: james.bitzenburg@idwr.idaho.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jim Bitzenburg', is written over a horizontal line.

Jim Bitzenburg
Water Resource Agent

Enclosure