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Form 202A 07/13

APR 13 2015

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEPT OF WATER RESOURCES

RECEIVED

APR 28 2015

ID No. TP-37-65

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: Terracon Consultants, Inc. Phone: 208-387-2929
 Mailing address: 11849 W Executive Drive, Suite G City: Boise
 State Idaho ZIP 83713 Email: lucas.marsh@terracon.com

1. Source of water: Big Wood River tributary to Magic Reservoir
 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	18E	21			NE	NE	Blaine	Big Wood River	

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	
1S	18E	21	X	X															

4. Describe proposed use of water: Water will be pumped from the river for use as drill circulating fluid during drilling operations along US 20.
5. Amount of water: A maximum amount of 1,000 gallons of water/day
 Maximum rate of diversion _____ cfs or _____ gpm.
 Maximum daily volume 0.003 AF; total volume _____ AF.
6. Duration of diversion: from 04/01/2015* (day-month) to 05/31/2015* (day-month).
7. Describe proposed diverting works: Pump water from river into water tank mounted to truck.
8. a. Who owns the property at the requested point of diversion? Idaho Transportation Department
 b. Who owns the land to be irrigated or place of use? Idaho Transportation Department
 c. If the property is owned by a person other than the applicant, describe the arrangement allowing access to the water:
Performing geotechnical drilling services for Idaho Transportation Department, District 4
9. Additional remarks: * Will only divert water for a 6 day duration.

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.

Lucas Marsh
 Signature of applicant

4-7-2015
 Date

Received by _____ Date 4.13.2015 Time _____
 \$50.00 fee received by B. Walker # 5034679 Date 4/13/15
 Watermaster comments received? yes Date 4/14/15

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 0.1 AF and a maximum rate of diversion of 0.3 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 5/31/15.

Signed this 15th day of April, 20 15


For the Director

ADDITIONAL CONDITIONS OF APPROVAL FOR TEMPORARY
PERMIT NO. TP-37-65

- 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.



MEMORANDUM

Date: April 14, 2015
To: Application for Temporary Water Appropriation of Water
From: Jim Bitzenburg
Re: Comments from State agencies and watermaster

This Application for Temporary Appropriation of Water was submitted on April 13, 2015 by Terracon Consultants Inc. I phoned Lucas Marsh of Terracon to determine exactly where his firm would be diverting water out of the Big Wood River. He indicated that they would be pumping directly off of the bridge deck (see map) at Stanton Crossing where highway 20 crosses the Big Wood River west of the Timmerman Crossing.

I emailed Tom Woolf, who handles invasive species issues for the Idaho Department of Agriculture in Boise to get his comments on the application. He consented, provided that there is no back flow from the truck and the pump screen is clean and free of any dirt or invasive species.

An email communication to Idaho Department of Fish and Game fisheries biologist Doug Megargle yielded a number of recommendations that are outlined in his attached email.

Finally, Kevin Lakey, watermaster of water district 37 was emailed to obtain his comments. He responded that he had no problem with the application.

Bitzenburg, James

From: Megargle, Doug [doug.megargle@idfg.idaho.gov]
Sent: Tuesday, April 14, 2015 1:38 PM
To: Bitzenburg, James
Cc: McDonald, Mike
Subject: RE: Application for temporary appropriation of water

James:

We have reviewed the application for temporary water appropriation from Terracon Consultants, Inc (Applicant). It is our understanding the Applicant proposes to pump water (approximately 6,000 gallons; 1,000 g/day for 6 days) from the Big Wood River in Blaine County west of the Timmerman Junction for the purpose of as drill circulating fluid during drilling operations along US 20. The actual point of diversion is State Land at the Stanton Crossing Bridge over the Big Wood River. This diversion of water would occur sometime between April 1 and May 31, 2015.

The season of use for the proposed water appropriation could overlap wild salmonid and other native fish spawning (April 1 through July 15). Although spring spawning in the reach of the Big Wood affected by the diversion has not specifically been quantified, juvenile fish (fry and fingerlings) from adjacent reaches disperse through the area.

To address potential aquatic resource concerns, we recommend the Applicant screen the water intake with 1/4" mesh to avoid entraining juvenile fish and divert (pump) from the main channel away from potential fish refugia like stream banks with overhanging vegetation or near accumulations of large woody debris.

We recommend a requirement that activities associated with water pumping not interfere with public recreation and use of the area.

All equipment should be treated/sterilized prior to and after use to avoid the spread of invasive aquatic species. We recommend reviewing the rules governing invasive species and contacting the Department of Agriculture (208-332-8686) if you have questions.

Finally, it is our understanding that this year's forecasted flows for the Big Wood River are below normal. In the event your agency receives multiple requests this year for temporary water from the Big Wood, the cumulative effects of multiple temporary diversions should become a consideration.

Thank you for the opportunity to review the application. Please contact me if you have questions.

Doug Megargle - Regional Fishery Manager
Idaho Department of Fish and Game
324 South 417 East; Suite 1
Jerome, Idaho 83338
w (208) 324-4359; fax (208) 324-1160

From: Bitzenburg, James [<mailto:James.Bitzenburg@idwr.idaho.gov>]
Sent: Monday, April 13, 2015 3:54 PM
To: Megargle,Doug
Subject: Application for temporary appropriation of water

Doug-

I have received an application for temporary appropriation of water for Terracon Consultants to pump a maximum of 1000 gallons per day for 6 days out of the Big Wood River west of the Timmerman Junction southwest of Bellevue. I have attached the application and a map and I was wondering if I could get your comments on the proposal.

Thanks.

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: Kevin Lakey [watermanager@cableone.net]
Sent: Tuesday, April 14, 2015 7:59 AM
To: Bitzenburg, James
Subject: RE: Application for temporary appropriation of water

Jim,
I do not have a problem with this application.

Kevin Lakey
Water District 37

From: Bitzenburg, James [<mailto:James.Bitzenburg@idwr.idaho.gov>]
Sent: Monday, April 13, 2015 4:05 PM
To: watermanager@cableone.net
Subject: Application for temporary appropriation of water

Kevin-

Let me try that again with the application actually attached. It is Monday. Late in the day on Monday. Sorry.

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: Thomas E. Woolf [Thomas.Woolf@agri.idaho.gov]
Sent: Monday, April 13, 2015 4:08 PM
To: Bitzenburg, James
Subject: RE: Application for temporary appropriation of water from the Big Wood River

Jim,

I have no issues with this, provided that there is no back flow from the truck and the pump screen is clean and free of any dirt or invasive species.

Thank you

Tom

*Thomas Woolf
Aquatic Invasive Species Program Manager
Invasive Species and Noxious Weeds
Idaho State Department of Agriculture
208-608-3404*

From: Bitzenburg, James [<mailto:James.Bitzenburg@idwr.idaho.gov>]
Sent: Monday, April 13, 2015 2:57 PM
To: Thomas E. Woolf
Subject: Application for temporary appropriation of water from the Big Wood River

Tom-

I have received an application for temporary appropriation of water for Terracon Consultants to pump a maximum of 1000 gallons per day for 6 days out of the Big Wood River west of the Timmerman Junction southwest of Bellevue. I have attached the application and a map and I was wondering if I could get your comments on the proposal.

Thanks.

Jim

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 15, 2015

TERRACON CONSULTANTS INC
11849 W EXECUTIVE DR, SUITE G
BOISE, ID 83713

RE: Copy of Temporary Water Right Application: TP-37-65

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: Kevin Lakey, Water District 37