



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 18, 2014

BRAUN JENSEN
509 SE 9TH STREET
PAYETTE ID 83661

RE: Temporary Permit No. TP-79-32, TP-85-39 and TP-85-40

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-79-32, TP-85-39 and TP-85-40.

Please be advised that THE PERMIT IS SUBJECT TO THE EFFECTIVE DATES AND CONDITIONS STATED ON PAGE TWO OF THE APPLICATION.

The Idaho Department of Fish & Game (IDFG) now requires a Special Use Permit if their property is to be used for a point of diversion.

To contact IDFG in Coeur d'Alene, call 208-769-1414 and in Lewiston, call 208-799-5010.

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 "Keith E. Franklin". The signature is written in a cursive style with a large, stylized 'K' and 'F'.

Keith E. Franklin
Program Manager

Enclosure Copy of TP-79-32, TP-85-39 and TP-85-40

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESRECEIVED
APR 07 2014
IDWR / NORTH

ID No.

TP-85-39

RECEIVED
MAR 31 2014
IDWR / NORTH

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: BRAYN - JENSEN Phone: (208) 550-2684
 Address: 509 SE 9th St. Payette Id 83661 Email: dbraun@braun-jensen.com
 1. Source of water: LAWYERS CANYON tributary to LAWYERS CRK - CLEARWATER 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 #
<u>46N</u>	<u>116W</u>	<u>45</u>	<u>Latitude + Longitude</u>				<u>LEWIS CO.</u>	<u>LAWYERS CR.</u>	<u>LAWYERS CR.</u>
<u>33N</u>	<u>2E</u>	<u>32</u>							

Bridge where Hwy 162 crosses Lawyers creek south of Nezperce Idaho

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	
<u>46N</u>	<u>116W</u>	<u>45</u>																	
<u>33N</u>	<u>2E</u>	<u>32</u>																	

Bridge where Hwy 162 crosses Lawyers creek south of Nezperce Idaho

4. Describe proposed use of water: SUPPORT CONSTRUCTION ACTIVITIES ON LAWYERS CANYON BRIDGE.

5. Amount of water:

Maximum rate of diversion 0.22 780 cfs or 100 gpm.Maximum daily volume .06 AF; total volume .12 AF.6. Duration of diversion: from 14-4 to 21-6
Day-month Day-month7. Describe proposed diverting works: 3" PUMP WILL BE USED. A SUCTION HOSE WILL BE PLACED IN CREEK.8. a. Who owns the property at the requested point of diversion? ITDb. Who owns the land to be irrigated or place of use? ITD

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

LEGAL EASEMENT

9. Additional 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.

Signature of applicant

Date

Received by

Date

Time

\$50.00 fee received by

#

Date

Watermaster Comments received?

Date

7A-85-39

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 0.12 AF and a maximum rate of diversion of 0.22 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. Water intakes should be screened to prevent entrainment or impingement of fish or other aquatic life. The maximum screen mesh size should be ^{3/16} 0.25 inches; approach velocities should not exceed 0.5 ft/second.
 9. The Idaho Department of Fish & Game (IDFG) now requires a Special Use Permit if their property is to be used for a point of diversion. IDFG contact in Coeur d'Alene ~ 208-769-1414, and in Lewiston ~ 208-799-5010.
 10. This approval expires on July 1, 2014.

Signed this 18 day of April, 2014.


Manager, Northern Region
For the Director