



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

August 7, 2014

CASSIA COUNTY ROAD & BRIDGE
1459 OVERLAND AVE
BURLEY, ID 83318

RE: Copy of Temporary Water Right Application: TP-43-46 (Approved)
RE: Copy of Temporary Water Right Application: TP-43-44 (Denied)
RE: Copy of Temporary Water Right Application: TP-43-45 (Denied)

Dear Cassia County:

Enclosed is a copy of the above referenced approved Application for Temporary Approval of Water Appropriation Permit. Please note, also enclosed are copies of (2) Temporary Water Right Applications in which were denied.

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 "Allen Merritt".

for: Allen Merritt
Southern Region Manager

Enclosure(s)

cc: Rick Neff, Water District 43B

RECEIVED

JUL 25 2014

Form 202A 07/13

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESID No. FP 43-46

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: CASSIA COUNTY ROAD AND BRIDGE Phone: 208-312-1173Mailing address: 1459 OVERLAND AVE City: BURLEYState ID ZIP 83318 Email: SAMLORI@ATCNET.NET1. Source of water: UNNAMED STREAM tributary to ALMO CREEK

2. Location of point(s) of diversion:

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #
13S	24E	15			NW	NW	CASSIA	UNNAMED STREAM	
13S	24E	16			NE	NE	CASSIA	UNNAMED STREAM	

3. Location of place of use: SEE ATTACHMENT

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 DUST ABATEMENT FOR ROAD CONSTRUCTION AND MAGNESIUM CHLORIDE WORK ON COUNTY ROADS.

5. Amount of water:

Maximum rate of diversion _____ cfs or 340 gpm.Maximum daily volume 0.15 AF; total volume 2 AF.6. Duration of diversion: from 4/1 (day-month) to 10/31 (day-month).7. Describe proposed diverting works: PORTABLE GAS POWERED PUMP8. a. Who owns the property at the requested point of diversion? ALL IN COUNTY RIGHT-OF-WAYb. Who owns the land to be irrigated or place of use? ALL IN COUNTY RIGHT-OF-WAYc. If the property is owned by a person other than the applicant, describe the arrangement allowing access to the water:
N/A

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

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 _____ AF and a maximum rate of diversion of _____ 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 10/31/2014.

Signed this 5th day of August, 2014

For


For the Director

ADDITIONAL CONDITIONS OF APPROVAL FOR TEMPORARY
PERMIT NO. TP-43-46

- SUBJECT TO curtailment by watermaster of Water District 43-D. Please contact Bruce Durfee, watermaster, to coordinate diversion (208-824-5566).
- The pump intake shall be screened with ¼" mesh or smaller to avoid entraining juvenile fish.
- The pump placement in the stream shall be away from potential fish refugia like stream banks with overhanging vegetation or accumulated large woody debris.
- 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.

MEMORANDUM

DATE: August 4, 2014

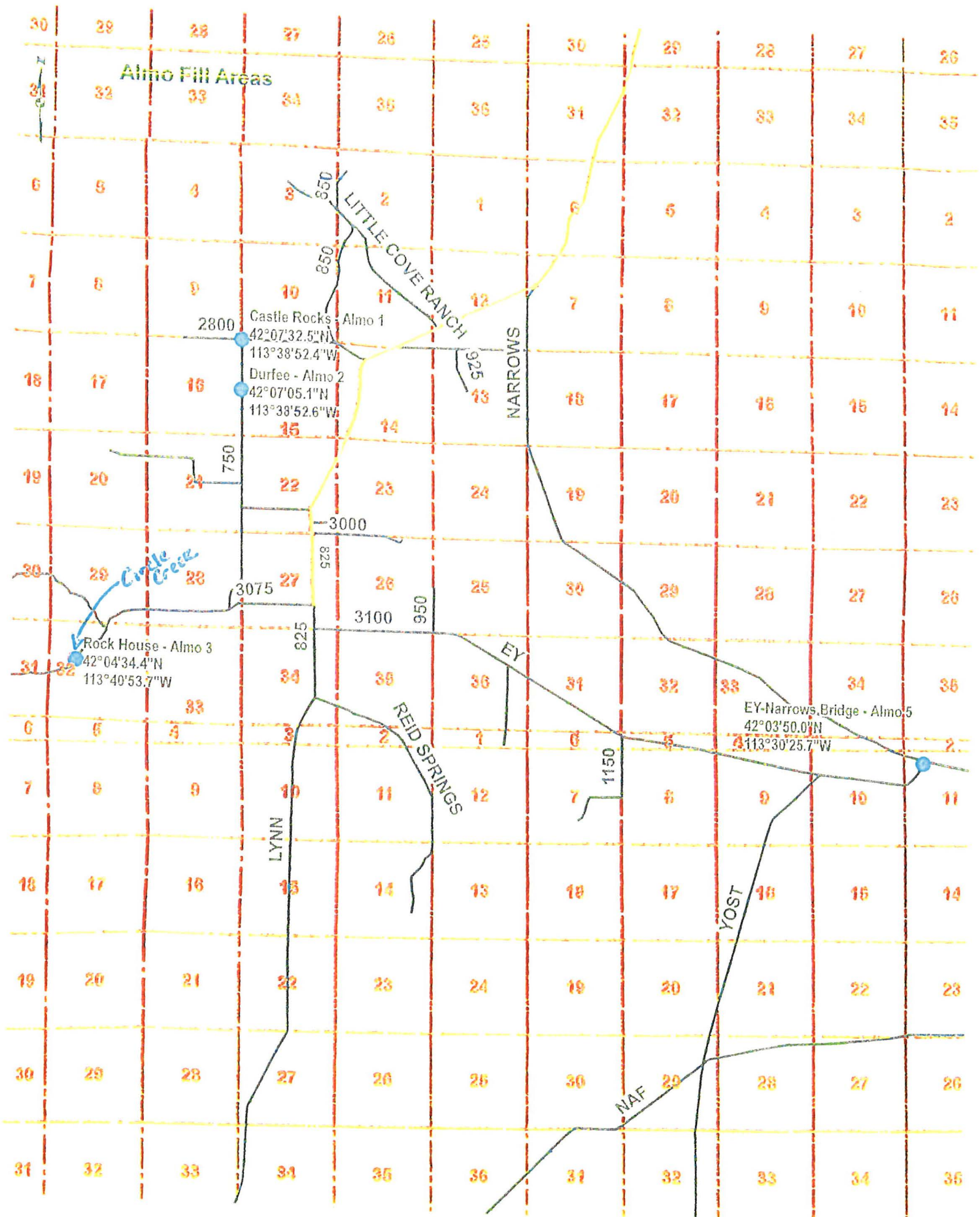
TO: Allen Merritt, File TP-43-44, TP-43-45, TP-43-46

FROM: Jeff Cooper

RE: Application for Temporary Approval of Water Appropriation

Three applications for temporary approval of water appropriation (TP-43-44, TP-43-45, TP-43-46) were filed with the Department on July 25, 2014 by Cassia Country Road and Bridge (receipt #S034195) for the purpose of dust abatement and magnesium chloride work on county roads in the Upper Raft River area. The applicant provided a detailed map of the location of the points of diversion and place of use along with legal descriptions.

- OK -
- Application TP-43-46 proposes to divert up to 340 gpm, up to 0.15 AF/day, and up to 2 AF from April 1, 2013 to October 31, 2013, from points of diversion located at TWP 13S RNG 24E Sec. 15 NWNW & TWP 13S RNG 24E Sec. 16 NENE on an unnamed stream tributary to Almo Creek. The proposed points of diversion fall under the jurisdiction of the Almo Creek Water District (43-D). The current watermaster, E. Bruce Durfee, indicated that he had no objections to the proposed temporary appropriation, but water supply at this point is very low and he would like to be contacted when the water is taken (as per phone conversation on 08/04/2014). The proposed points of diversion are located within the road and/or highway easement.
 - Application TP-43-44 proposes to divert up to 340 gpm, up to 0.15 AF/day, and up to 2 AF from April 1, 2013 to October 31, 2013, from a point of diversion located at TWP 16S RNG 25E Sec. 11 NWNW on Raft River. The proposed point of diversion falls under the jurisdiction of the Upper Raft River Water District (43-B). The current watermaster, Rick Neff, indicated that there was insufficient supply to facilitate the temporary appropriation (as per phone conversation 8/01/2014). The proposed points of diversion are located within the road and/or highway easement.
 - Application TP-43-45 proposes to divert up to 340 gpm, up to 0.15 AF/day, and up to 2 AF from April 1, 2013 to October 31, 2013, from a point of diversion located at TWP 15S RNG 24E Sec. 32 SENW on Circle Creek tributary to Raft River. The proposed point of diversion falls under the jurisdiction of the Upper Raft River Water District (43-B). The current watermaster, Rick Neff, indicated that there was insufficient supply to facilitate the temporary appropriation (as per phone conversation 8/01/2014). The proposed points of diversion are located within the road and/or highway easement.



Castle Rocks - Almo 7

T. 15 S., R. 24 E., B. 14.

• Section 3

- ☐ SW¼NE¼
- ☐ NE¼SE¼
- ☐ NW¼SE¼
- ☐ SE¼NW¼

• Section 2

- ☐ SE¼SW¼
- ☐ SW¼SW¼
- ☐ NW¼SW¼
- ☐ SW¼NW¼
- ☐ NW¼NW¼

• Section 10

- ☐ SE¼NE¼
- ☐ NE¼SE¼
- ☐ SE¼SE¼
- ☐ SW¼SE¼
- ☐ SE¼SW¼
- ☐ SW¼SW¼

• Section 11

- ☐ SW¼NE¼
- ☐ NE¼SE¼
- ☐ SE¼SE¼
- ☐ SW¼SE¼
- ☐ NW¼SE¼
- ☐ NE¼NW¼
- ☐ SE¼NW¼
- ☐ SW¼NW¼
- ☐ NW¼NW¼

• Section 12

- ☐ SE¼SE¼
- ☐ SW¼SE¼
- ☐ SE¼SW¼
- ☐ SW¼SW¼
- ☐ NW¼SW¼

Castle Rocks - Almo I

T.15 S., R.24 E., B.M.

• Section 13

- ☐ NE¼NE¼
- ☐ NW¼NE¼
- ☐ NE¼NW¼
- ☐ SE¼NW¼
- ☐ SW¼NW¼
- ☐ NW¼NW¼

• Section 14

- ☐ NE¼NE¼
- ☐ NW¼NE¼
- ☐ NE¼NW¼
- ☐ NW¼NW¼

• Section 15

- ☐ NE¼NE¼
- ☐ NW¼NE¼
- ☐ NE¼NW¼
- ☐ NW¼NW¼

Durfee - Almo 7

U.S.S., D.24 E., B.14

- Section 14
 - SW¼SW¼
 - NW¼SW¼
 - SW¼NW¼
 - NW¼NW¼
- Section 15
 - NE¼NE¼
 - SE¼NE¼
 - NE¼SE¼
 - SE¼SE¼
- Section 20
 - NE¼NE¼
 - NW¼NE¼
- Section 21
 - NE¼NE¼
 - SE¼NE¼
 - SW¼NE¼
 - NE¼SE¼
 - SE¼SE¼
 - NW¼SE¼
 - NE¼NW¼
 - SE¼NW¼
 - SW¼NW¼
 - NW¼NW¼
- Section 22
 - SE¼SE¼
 - SW¼SE¼
 - NE¼SW¼
 - SE¼SW¼
 - SW¼SW¼
 - NW¼SW¼
 - SW¼NW¼
 - NW¼NW¼
- Section 23
 - SE¼SW¼
 - SW¼SW¼

Durfee - Alton 2.

T.15 S., R.21 E., B.14

* Section 26

- ☐ NW¼NE¼
- ☐ NE¼NW¼
- ☐ NW¼NW¼

o Section 27

- ☐ SE¼NE¼
- ☐ SW¼NE¼
- ☐ SW¼SE¼
- ☐ NW¼SE¼
- ☐ NE¼SW¼
- ☐ SE¼SW¼
- ☐ SW¼SW¼
- ☐ NW¼SW¼
- ☐ SW¼NW¼
- ☐ NW¼NW¼

* Section 28

- ☐ NE¼NE¼
- ☐ SE¼NE¼
- ☐ NE¼SE¼
- ☐ SE¼SE¼

Rock House - /Almo 3

T.15 S., R.23 E., B.M.

- Section 28
 - NE¼SE¼
- Section 27
 - NE¼SE¼
 - SE¼SE¼
 - SW¼SE¼
 - SE¼SW¼
 - SW¼SW¼
 - NW¼SW¼
- Section 26
 - NE¼SE¼
 - SE¼SE¼
 - NW¼SE¼
 - NE¼SW¼
 - SE¼SW¼
- Section 25
 - SW¼SW¼
- Section 36
 - NE¼SE¼
 - SE¼SE¼
 - NW¼SE¼
 - NE¼SW¼
 - SE¼NW¼
 - SW¼NW¼
 - NW¼NW¼

T.15 S., R.24 E., B.M.

- Section 31
 - NE¼SE¼
 - NW¼SE¼
 - NE¼SW¼
 - SE¼SW¼
 - SW¼SW¼
- Section 32
 - NW¼NE¼
 - NW¼SW¼
 - NE¼NW¼
 - SE¼NW¼
 - SW¼NW¼

Rock House - Annex B

T.15 S., R.24 E., B.M.

• Section 29

SE¼SE¼

SW¼SE¼

• Section 28

• SE¼SE¼

• SW¼SE¼

• SE¼SW¼

• SW¼SW¼

T.16 S., R.24 E., B.M.

• Section 6

• Lot 4

Spencer/Utah - Annex 4

T.15 S., R.24 E., B.M.

- Section 34
 - NE¼NE¼
 - SE¼NE¼
 - SW¼NE¼
 - NW¼NE¼
 - NE¼SE¼
 - SE¼SE¼
 - SW¼SE¼
 - NW¼SE¼

- Section 35
 - SW¼SE¼
 - SE¼SW¼
 - SW¼SW¼

T.16 S., R.24 E., B.M.

- Section 3
 - Lot 2
- Section 2
 - Lot 2
- Section 10
 - SW¼NE¼
 - NW¼NE¼
 - SW¼SE¼
 - NW¼SE¼
 - SE¼SW¼
- Section 11
 - NE¼NE¼
 - SE¼NE¼
 - NW¼NE¼
 - NE¼SE¼
 - SE¼SE¼
- Section 12
 - SW¼SW¼
 - NW¼SW¼
- Section 13
 - NW¼NW¼

Spencer/Utah - Annex 4

T.16 S., R.24 E., B.1A.

- Section 14

- ☐ NE¼NE¼
- ☐ SE¼NE¼
- ☐ NE¼SE¼

- Section 15

- ☐ SW¼NE¼
- ☐ NW¼NE¼
- ☐ SW¼SE¼
- ☐ NW¼SE¼
- ☐ NE¼SW¼
- ☐ SE¼SW¼
- ☐ NE¼NW¼
- ☐ SE¼NW¼

- Section 22

- ☐ SW¼NE¼
- ☐ NW¼NE¼
- ☐ SW¼SE¼
- ☐ NW¼SE¼
- ☐ NE¼SW¼
- ☐ SE¼SW¼
- ☐ NE¼NW¼
- ☐ SE¼NW¼

- Section 27

- ☐ NE¼SW¼
- ☐ SW¼SW¼
- ☐ NW¼SW¼
- ☐ NE¼NW¼
- ☐ SE¼NW¼

- Section 34

- ☐ SW¼SW¼
- ☐ NW¼SW¼
- ☐ SW¼NW¼
- ☐ NW¼NW¼

- Section 33

- ☐ SE¼SE¼

NY Narrows Bridge - Annex 5

E.16 S., E.25 E., B.1A

- Section 12
 - NE¼NE¼
 - NW¼NE¼
 - NE¼NW¼
 - NW¼NW¼

- Section 11
 - NE¼NE¼
 - NW¼NE¼
 - NE¼NW¼
 - SW¼NW¼
 - NW¼NW¼

- Section 3
 - Lot 1
 - Lot 2

- Section 10
 - SE¼NE¼
 - SW¼NE¼
 - SE¼NW¼
 - SW¼NW¼
 - NW¼NW¼

- Section 9
 - NE¼NE¼
 - SE¼NE¼
 - NW¼NE¼
 - NE¼SE¼
 - SW¼SE¼
 - NW¼SE¼
 - SE¼SW¼
 - NE¼NW¼
 - NW¼NW¼

- Section 8
 - NE¼NE¼
 - SW¼NW¼
 - NW¼NW¼

- Section 5
 - Lot 1
 - Lot 2
 - Lot 3

HY-Narrows Bridge - Annex B

T.16 S., R.25 E., B.M.

- Section 6
 - Lot 1
- Section 7
 - NE¼NE¼
 - SE¼NE¼
 - SW¼NE¼
 - NE¼SE¼
 - NW¼SE¼
- Section 16
 - NE¼SW¼
 - SE¼SW¼
 - SW¼SW¼
 - NE¼NW¼
 - SE¼NW¼
- Section 21
 - NW¼SW¼
 - SW¼NW¼
 - NW¼NW¼
- Section 20
 - NE¼SE¼
 - SE¼SE¼
- Section 29
 - NE¼NE¼
 - SE¼NE¼
 - NE¼SE¼
 - SE¼SE¼
- Section 32
 - NE¼NE¼
 - SE¼NE¼
 - SW¼NE¼
 - NW¼NE¼
 - NE¼SE¼
 - SE¼SE¼
 - SW¼SE¼
 - NW¼SE¼

W-Narrows Bridge - Annex B

1.15 S., R.25 E., B.14

- Section 34
 - 1. SW¼SE¼
 - 2. SE¼SW¼
 - 3. SW¼SW¼
 - 4. NW¼SW¼
- Section 33
 - 1. SW¼NE¼
 - 2. NE¼SE¼
 - 3. NW¼SE¼
 - 4. SE¼NW¼
 - 5. SW¼NW¼
 - 6. NW¼NW¼
- Section 32
 - 1. NE¼NE¼
 - 2. NW¼NE¼
 - 3. NE¼NW¼
- Section 29
 - 1. NE¼SW¼
 - 2. SE¼SW¼
 - 3. NW¼SW¼
 - 4. SW¼NW¼
- Section 30
 - 1. NE¼NE¼
 - 2. SE¼NE¼
 - 3. SW¼NE¼
 - 4. NW¼NE¼
 - 5. NE¼NW¼
- Section 19
 - 1. NE¼SW¼
 - 2. SE¼SW¼
 - 3. NW¼SW¼
 - 4. SW¼NW¼
 - 5. NW¼NW¼
- Section 18
 - 1. SW¼SW¼
 - 2. NW¼SW¼
 - 3. SW¼NW¼
 - 4. NW¼NW¼

BY-Narrows Bridge - Annex 8

T.15 S., R.25 E., B.M.

- Section 31

- SE¼SE¼
- SW¼SE¼
- NW¼SE¼
- NE¼SW¼
- NW¼SW¼
- SW¼NW¼

T.15 S., R.24 E., B.M.

- Section 36

- SE¼NE¼
- SW¼NE¼
- NW¼NE¼
- NE¼SE¼
- SE¼SE¼
- NE¼NW¼
- NW¼NW¼

- Section 25

- SE¼SW¼
- SW¼SW¼
- NW¼SW¼

- Section 26

- NE¼SE¼
- SE¼SE¼
- SW¼SE¼
- SE¼SW¼
- SW¼SW¼

- Section 27

- SE¼SE¼
- SW¼SE¼

- Section 35

- NE¼NE¼
- NW¼NE¼
- NE¼NW¼
- NW¼NW¼

- Section 34

- NE¼NE¼

RY-Harrows Bridge - Aline 1

T.15 S., R.24 E., B.M.

• Section 13

• NE¼NE¼

• SE¼NE¼

• NE¼SE¼

• SE¼SE¼

T.16 S., R.24 E., B.M.

• Section 1

• Lot 1

• Lot 2

MEMORANDUM

DATE: June 10, 2013

TO: Allen Merritt, File TP-43-41, TP-43-42, TP-43-43

FROM: Jeff Cooper

RE: Application for Temporary Approval of Water Appropriation

Three applications for temporary approval of water appropriation (TP-43-41, TP-43-42, TP-43-43) were filed with the Department on June 5, 2013 by Cassia County Road and Bridge (receipt #S033300) for the purpose of dust abatement and magnesium chloride work on county roads in the Upper Raft River area. The applicant provided a detailed map of the location of the points of diversion and place of use along with legal descriptions.

- Application TP-43-41 proposes to divert up to 340 gpm, up to 0.15 AF/day, and up to 2 AF from April 1, 2013 to October 31, 2013, from points of diversion located at TWP 13S RNG 24E Sec. 15 NWNW & TWP 13S RNG 24E Sec. 16 NENE on an unnamed stream tributary to Almo Creek. The proposed points of diversion fall under the jurisdiction of the Almo Creek Water District (43-D). The current watermaster, E. Bruce Durfee, indicated that he had no objections to the proposed temporary appropriation, but would like to be contacted when the water is taken (as per phone conversation on 6/11/2013). The proposed points of diversion are located within the road and/or highway easement.
- Application TP-43-~~43~~⁴² proposes to divert up to 340 gpm, up to 0.15 AF/day, and up to 2 AF from April 1, 2013 to October 31, 2013, from a point of diversion located at TWP 16S RNG 25E Sec. 11 NWNW on Raft River. The proposed point of diversion falls under the jurisdiction of the Upper Raft River Water District (43-B). The current watermaster, Rick Neff, indicated that although during certain times of the year there wouldn't be an issue, he would like to be notified prior to the diversion of the water (as per phone conversation 6/11/2013). The proposed points of diversion are located within the road and/or highway easement.
- Application TP-43-43 proposes to divert up to 340 gpm, up to 0.15 AF/day, and up to 2 AF from April 1, 2013 to October 31, 2013, from a point of diversion located at TWP 15S RNG 24E Sec. 32 SENW on Circle Creek tributary to Raft River. The proposed point of diversion falls under the jurisdiction of the Upper Raft River Water District (43-B). The current watermaster, Rick Neff, indicated that although during certain times of the year there wouldn't be an issue, he would like to be notified prior to the diversion of the water. The proposed points of diversion are located within the road and/or highway easement.