



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,

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. TP 43-44**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: RAFT RIVER tributary to SNAKE RIVER

2. Location of point(s) of diversion:

TWP	RGE	SEC	GOVT LOT	¼	¼	¼	County	Source	Local name or tag #
16S	25E	11			NW	NW	CASSIA	RAFT RIVER	

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 receipted 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 — See attached memo.

☐ 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: _____

9. This approval expires on _____.

Signed this 5th day of August, 2014.

For


For the Director

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.

- 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.

deny —