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Form 202A 07/13

JAN 22 2014

JAN 27 2014

ID No. TP-41-05Department of Water Resources
Eastern 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: Power County Highway District Phone: 208-226-2661
 Mailing address: P.O. Box 513 3090 Lambweston Road City: American Falls
 State Idaho ZIP 83211 Email: power4@dcidi.net

1. Source of water: East Fork Rock Creek tributary to Snake 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 #
T10S	R31E	6		NW	SW		Power	East Fork Rock Creek	

3. Location of place of use: large place of use. See attached map.

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 This water will be used for road building and dust control of new and existing roads.

5. Amount of water:

Maximum rate of diversion _____ cfs or 350 gpm.

Maximum daily volume .106 AF; total volume 5.0 AF.

6. Duration of diversion: from 1-1-2014 (day-month) to 12-31-2014 (day-month).

7. Describe proposed diverting works: Portable pumps are used to pump into water trucks

8. a. Who owns the property at the requested point of diversion? Diversion points are on road right of ways at crossings

b. Who owns the land to be irrigated or place of use? Power County Highway District

c. If the property is owned by a person other than the applicant, describe the arrangement allowing access to the water:
No private property is accessed for these diversions.

9. Additional remarks: The majority of this water is used in April and May to apply mag-chloride to gravel roads.
In addition water will be used for new road construction.

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.

Robert M. Watzel Signature of applicant Date 1-13-14

Received by 1/28/14 SC Date 1/28/14 Time _____
 \$50.00 fee received by SC # E039465 Date 1/28/14
 Watermaster comments received? JP Date 1/28/14

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.

X 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

X 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 5.0 AF and a maximum rate of diversion of 0.78 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 additional sheet

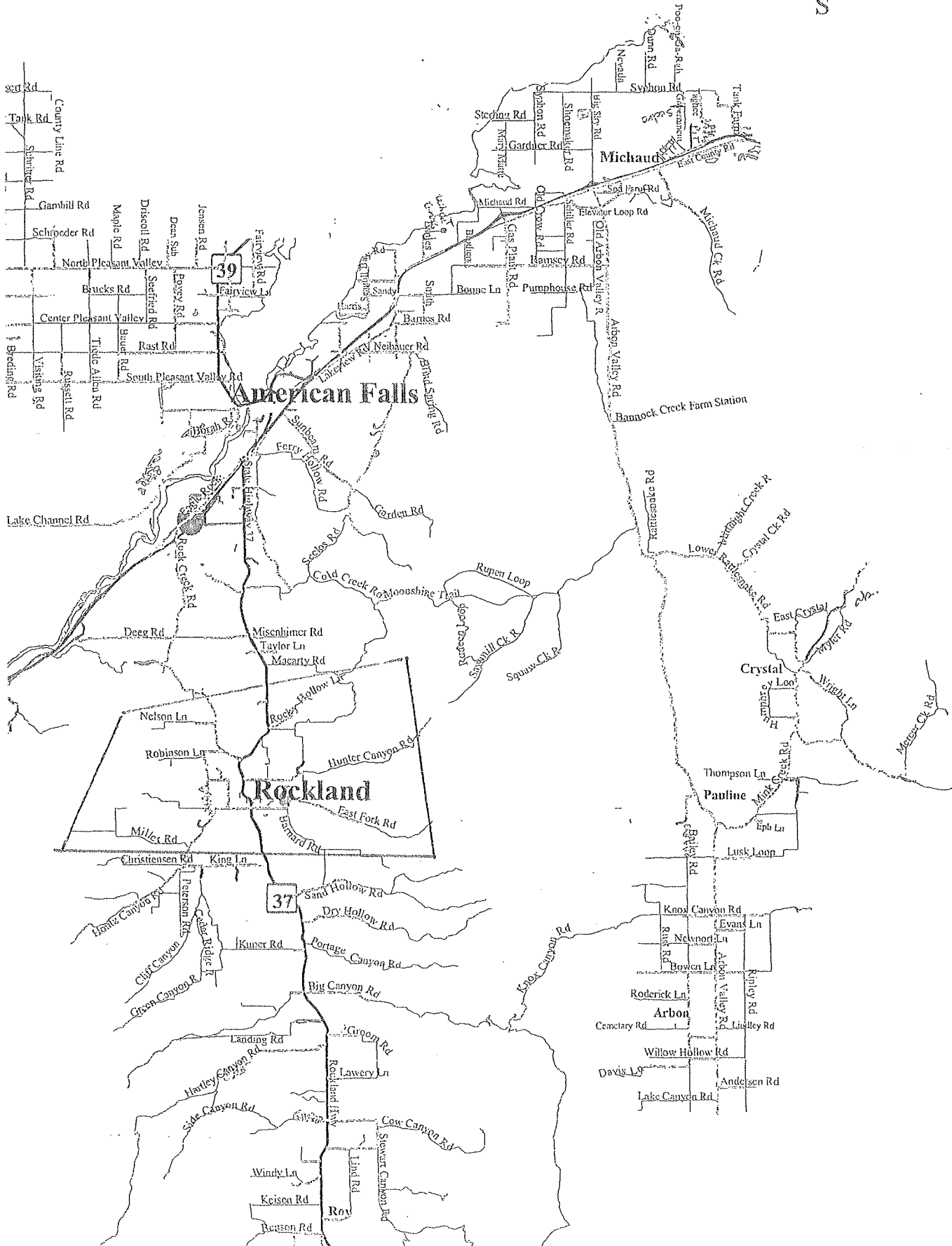
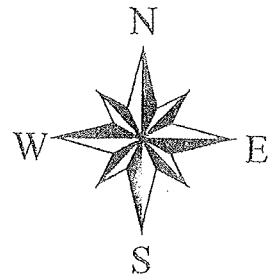
9. This approval expires on 12/31/2014.

Signed this 3rd day of February, 20 14.


For the Director

ADDITIONAL CONDITIONS OF APPROVAL FOR TEMPORARY
PERMIT NOs. TP-41-04, TP-41-05 and TP-41-06

- Diversion must be screened to meet IDF&G requirements. Please call 208-324-4359 for specifications.
- 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 41.



MEMORANDUM

Date: January 28, 2014
To: Power County Highway District Temporary Permit File
From: Jim Bitzenburg
Re: Watermaster comments on Power County Highway District Temporary Water Permits

I spoke by phone today with James Robinson, watermaster for Water District 41, regarding three applications for Temporary Water Permits by the Power County Highway District in the Rockland area. He said that he was familiar with the locations the District pumped from last year, and that the pumping was usually concluded before he started measuring water. He noted that if the Highway District was pumping later in the season, after he had to start cutting flows, he didn't know what effect the pumping would have on downstream users.

MEMORANDUM

Date: January 31, 2014
To: Power County Temporary Water Permit File
From: Jim Bitzenburg
Re: Idaho Department of Fish and Game Comments on Power County Highway District
Temporary Water Permits

I spoke by phone yesterday with Jerome Hanson from the Idaho Department of Fish and Game regional office in Jerome about the Power County Highway District Temporary Permits near Rockland. He wanted to know what we had done with the permits from the Fish and Game perspective last year. I told him what the memo from my conversation with him last year said and read the additional conditions of approval placed on last year's permits. He said that he would be agreeable to the permits if they were conditioned as they were last year.