



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815  
Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

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C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

05/23/2013

WEST COMPANY INC  
PO BOX 519  
AIRWAY HEIGHTS WA 99001

RE: Temporary Permit Nos. TP-94-132 and TP-94-133

Dear Applicant(s):

Your applications for Temporary approval of Water Appropriations have been granted and assigned numbers TP-94-132 and TP-94-133

Please be advised that THE PERMITS ARE SUBJECT TO THE EFFECTIVE DATES AND CONDITIONS STATED ON PAGE TWO OF THE APPLICATIONS.

If you have any questions or if this office can be of further assistance, please contact us.

Sincerely,

Keith E. Franklin  
Program Manager

Enclosure

Copies of TP-94-132 and TP-94-133

RECEIVED

Basin 94

ID No. TP-94-133

MAY 13 2013

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

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: West Company, Inc. Phone: (509) 468-8535Address: P.O. Box 519, Airway Heights, WA 99001 Email: natem@westway.cc1. Source of water: 4th of July Creek tributary to Coeur d'Alene 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 #
49N	1W	22		NE			Kootenai	4th of July Creek	

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	
49N	1W	22	1/4																1/4

4. Describe proposed use of water Water will be used for construction of the new bridge deck overlays planned for the bridges at MP 117.55 and at MP 117.64 on SH-3. This project is for the Idaho Transportation Department as is known as FY13 D1 Bridge Repair. Water will be used to remove concrete from the bridges and bridge repair.

5. Amount of water:

Maximum rate of diversion \_\_\_\_\_ cfs or 500 gpm.Maximum daily volume 0.12 AF; total volume 2.4 AF.6. Duration of diversion: from 06/2013 to 09/2013  
Day-month Day-month7. Describe proposed diverting works: 3"-6" Trash pumps utilizing suction hoses equipped with fish screens8. a. Who owns the property at the requested point of diversion? Diversion location is within the ITD's highway Right-of Wayb. Who owns the land to be irrigated or place of use? State of Idaho

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

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 Nate M. KellyDate 05/10/13Received by dp Date 5/13/13 Time \_\_\_\_\_\$50.00 fee received by dp # N029845 Date 5/13/13

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 2.4 AF and a maximum rate of diversion of 1.11 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 vaules.
  8. Other: Water intakes should be screened to prevent entrainment or impingement of fish or other aquatic life. The maximum screen mesh size should be 0.25 inches; approach velocities should not exceed 0.5 ft/second.
9. This approval expires on 10/1/13.

Signed this 22 day of May, 2013.

  
For the Director



State of Idaho

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C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

May 14, 2013

MARY TERRA BERNIS  
IDAHO DEPARTMENT OF FISH & GAME  
2885 KATHLEEN AVE.  
COEUR D'ALENE, ID 83815

Re: Applications For Temporary Approval of a Water Appropriation

Dear MARY:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding two applications to temporarily appropriate 2.4 acre-feet of water from the Coeur d'Alene River and 2.4 acre-feet from 4<sup>th</sup> of July Creek, for bridge work, by West Company, Inc. Copies of the applications are attached for your reference.

Would you please submit your comments no later than May 21, 2013? If we do not hear from you by that date, we will assume that no comment from you means you have no objection to, concerns about, or conditions pertaining to the issuance of this permit.

You may send comments by regular mail to the above address, by FAX to 208-762-2819 or by e-mail to [keith.franklin@idwr.idaho.gov](mailto:keith.franklin@idwr.idaho.gov).

If you have any questions, don't hesitate to contact me at this office.

Thank you.

Sincerely,

Keith E Franklin  
Program Manager, Northern Region

Encl/kf

*Handwritten note:*  
No comments received as of 5/22/13. KJ



## Franklin, Keith

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**From:** Franklin, Keith  
**Sent:** Tuesday, May 14, 2013 11:15 AM  
**To:** 'mary.terra-berns@idfg.idaho.gov'  
**Attachments:** DOC002.pdf

Mary,  
Attached are two applications for temporary water appropriations from the Coeur d'Alene River and 4<sup>th</sup> of July Creek for bridge work by West Company, Inc. for your review and comment.  
Thanks.  
Keith