

**BUHL HIGHWAY DISTRICT**  
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Neal D. Gier, Chairman  
Gary D. Reynolds, Commissioner  
Tim E. Smalley, Commissioner  
Ted J. Beus, Director  
Hailey M. Sears, District Clerk

## **USE OF RIGHT-OF-WAY (UTILITY PERMITS)**

### **APPLICATION MUST INCLUDE THE FOLLOWING:**

- Provide a Traffic Control Plan
- Provide a site/plot plan
- Administrative Fee (see fee schedule)
- Deposits/Bond determined by the scope of work
- License Agreement when applicable
  - \*Required when installing/repairing a water source that crosses a highway district road. BHD will prepare this document when the Use of Right-of-Way Permit Application is submitted.

# BUHL HIGHWAY DISTRICT

## APPLICATION AND PERMIT TO USE RIGHT-OF-WAY

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The undersigned requests permission to construct the following item(s) on Highway District Right-of-Way:

<b>PUBLIC ROAD SURFACE TYPE:</b> <input type="checkbox"/> Pavement <input type="checkbox"/> Gravel <input type="checkbox"/> Other	<b>UTILITY TYPE:</b> _____ (Kind- Gas Line, Telephone Line, etc.) <input type="checkbox"/> Overhead <input type="checkbox"/> Underground <input type="checkbox"/> Other: <i>Explain-Road Boar, Cut, etc.</i> _____
<b>DISTANCE FROM:</b> Center Line _____ Right-Of-Way Line _____	Angle of Crossing: _____ Size of Pipe: _____ Pressure: _____ Depth: _____ Vertical Clearance: _____

**DESCRIPTION OF WORK:** \_\_\_\_\_

**ROAD NAME:** \_\_\_\_\_ **LOCATION/PARCEL #:** \_\_\_\_\_


**ESTIMATED START DATE:** \_\_\_\_\_ **ESTIMATED COMPLETION DATE:** \_\_\_\_\_

**A PLAN OF PROPOSED WORK AND APPLICABLE TRAFFIC CONTROL PLANS MUST BE ATTACHED.**

**SPECIAL PROVISIONS:**

*See next page for General Provisions.*

The Applicant shall contact the one call utility locating service and comply with all other requirements imposed upon an excavator pursuant to §55-2201, Idaho Code, et seq., and make every possible effort to have all utilities located. I certify that I am the authorized utility company representative and request permission to construct the above facilities within the Highway Right-of-Way in accordance with the **General Provisions** printed on the next page of this form. The **Special Provisions** and the plans made part of this permit.



COMPANY NAME	PHONE (CELL PHONE PREFERRED)
ADDRESS	APPLICANT NAME (please print)
CITY STATE ZIP	DATE
EMAIL ADDRESS	SIGNATURE OF AUTHORIZED REPRESENTATIVE

**A COPY OF THIS PERMIT MUST BE PRESENT AT THE WORK SITE DURING CONSTRUCTION**

Subject to all terms and provisions shown on this form or attachments, permission is hereby granted to the above-named applicant to perform the work as described. *(Tentative approval subject to inspection of installation)*

<p style="text-align: center;"><b>PERMIT</b></p> DIRECTOR OF HIGHWAYS: _____ DATE: _____ FEE: \$ _____ (non-refundable) BOND AMOUNT: _____ DEPOSIT: _____ DATE: _____ REFUND AMOUNT: _____ DATE: _____	<p style="text-align: center;"><b>FINAL APPROVAL</b></p> APPROVED DATE: _____ REJECTED DATE: _____ CORRECTIONS: _____ NO _____ YES, SEE ATTACHED DIRECTOR OF HIGHWAYS: _____
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Note: This permit expires 6 months from the date of approval. New permit and fees will apply.

**BUHL HIGHWAY DISTRICT**  
**APPLICATION AND PERMIT TO USE RIGHT-OF-WAY**

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**GENERAL PROVISIONS (UTILITY AND OTHER)**

1. A permit fee and deposit in an amount to be determined by the highway district (see fee schedule) shall accompany this application. If proper repair, including asphalt patching, is made and accepted, the deposit will be refunded. If proper repair is not completed, the Highway District will make the repair and the deposit will be forfeited. Any additional costs over and above the deposit will be invoiced to the Applicant in accordance with Highway District policy. The permit fee is non-refundable.
2. All underground utilities must be installed under culverts.
3. During the progress of the work, such barricades, lights, and other traffic control devices shall be erected and maintained as may be directed for the protection of the traveling public. Said barricades, lights, and other traffic control devices shall conform to the current issue of the Manual on Uniform Traffic Control Devices or Streets and Highways. Parked equipment and stored materials shall be as far from the travel way as feasible. Items left overnight within 30 feet of the travel way shall be marked and/or protected.
4. In accepting this permit, the permittee and/or its successors agree to hold the Highway District harmless from any and all liability on account of the erection, installation, construction, maintenance, or operation of the facilities located under this permit.
5. Any disturbance to the traveled surface of the road and/or traffic control devices shall be stored to the satisfaction of the Highway District. The permittee shall be responsible for proper pavement cut, excavation, backfill, compaction, and asphalt repair. Asphalt repair shall be in accordance with the standard provisions set forth in the Highway Standards and Development Procedures for the Association of Twin Falls County Highway Districts.
6. If the work done under this permit interferes in any way with the drainage of the highway, the permittee shall wholly and at his own expense make such provision as the Highway District may direct to correct said drainage.
7. On completion of work under this permit, all rubbish and debris shall be immediately removed, and the roadway and roadside shall be left neat and presentable and to the satisfaction of the Highway District.
8. All work under this permit shall be done per current government and industry standards under the supervision and to the satisfaction of the Highway District and at the expense of the permittee. Except for crossings, utilities shall be located no more than five feet inside the right-of-way. Above-ground utilities shall be located outside the clear zone.
9. The Highway District reserves the right to order the change and location or removal of any structure(s) or facility(ies) authorized by this permit. Said change or removal is at the sole expense of the permittee or its successors and assigns.
10. All such changes, reconstruction, or relocation by the permittee shall be done in such a manner as will cause the least interference with any of the Highway District work.
11. This permit is not exclusive and shall not prohibit the Highway District from granting other permits or franchise rights of like or other nature to other permits or franchise rights of like or other nature to other public or private utilities, nor shall it prevent the Highway District from using any of its roads, streets, or public places, or affect its right to full supervision and control over all or any part of them, none of which is hereby surrendered.
12. The Highway District may revoke, amend, amplify, or terminate this permit or any of the conditions herein enumerated if the permittee fails to comply with any or all of its provisions, requirements, or regulations as herein set forth through willful or unreasonable neglect, fails to heed or comply with notices given, or if the utility herein granted is not installed or operated and maintained its conformity.
13. The permittee shall maintain at his sole expense the structure or subject for which this permit is granted.
14. Adequate drawings or sketches shall be included showing the existing and/or proposed location of the facility with respect to the and/or planned location of the highway improvement, the traveled way, the rights-of-way lines, and where applicable, the control of access lines and approved access points.
15. If trench or pavement settlement should occur within one year from the date of installation, repairs shall be made by the permittee as directed by the Highway District at no cost to the District. If the permittee fails to make the necessary repairs, the Highway District will make the repairs and invoice the applicant and/or responsible party for any additional costs over and above the deposit amount. No new permits will be issued to the permittee until such claim has been settled.
16. No work shall be started until an authorized representative of the Highway District has given notice to the permittee to proceed. The permittee shall notify the Highway District to schedule a time for road closure and opening. If the work will prevent emergency traffic from traveling through, the permittee shall notify the Twin Falls County Sheriff's Office and the appropriate School Bus Shop.
17. A bond in the amount of \$\_\_\_\_\_ is required for the protection of the Highway District as set forth in the terms of the bond.
18. Any replacement of, addition to, or change in the facility granted by this permit shall require a new permit prior to initiation of such work.
19. Any application to cross roads with a water line or pressurized pipe will require a License Agreement.
20. Pursuant to Idaho Statute, Title 55, Chapter 22, The permittee shall call Dig Line at 1-800-342-1585 two working days in advance of any excavation.

**Note: This permit expires 6 months from the date of approval. New permit and fees will apply.**