

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 5 AF and a maximum rate of diversion of 0.2 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 expires on 12/31/2012.
 7. This approval does not create a continuing right to use water.
 8. 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.
 9. ~~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.~~
 10. Contact the DEPARTMENT OF WATER RESOURCES prior to diversion of water from streams.

DATED this 29 day of March, 2012.


For the Director

RECEIVED

MAR 19 2012

Basin 85

Form 202a 10/07

IDWR / NORTH

Indent. No.

TP 85-32

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION
(5 AF or less)Name of Applicant Nez Perce County Road and Bridge Phone (208)799-3060Address 0105 33rd St., Lewiston, ID 83501 Email robinpaasch@co.nezperce.id.us1. Source of water CLEARWATER RIVER @ SPALDING Tributary to SNAKE RIVER2. Location of point of diversion SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 20 Township 36N, Range 4W B.M.,
County NEZ PERCE3. Location of place of use VARIOUS $\frac{1}{4}$ $\frac{1}{4}$ Sec. _____ Township _____, Range _____ B.M.,
County NEZ PERCE4. Proposed use of water DUST CONTROL, CONSTRUCTION, SURFACE STABILIZATION
WITHIN COUNTY BOUNDARIES.5. Amount of water: 50,000 GALLONSMaximum rate of diversion 2 cfs or 90 gpm.Maximum daily volume _____ AF; Total volume 5 AF.6. Duration of diversion: From APRIL 2, 2012 to DECEMBER 31, 2012
Day-month Day-month7. Proposed diverting works N/A8. Who owns the property at the requested point of diversion? STATE OF IDAHO9. Describe the arrangement allowing access to the water BOAT RAMP10. Remarks BOAT RAMP USAGE ARRANGED WITH FISH & GAME

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.

MARCH 8, 2012

Date

Applicant

MARK RIDINGER, DIRECTOR

Received by

Date

3/19/12

Time

\$50.00 fee received by

N029066

Date

3/19/12

Watermaster Comments received?



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

03/29/2012

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

NEZ PERCE COUNTY ROAD & BRIDGE
0105 33RD ST
LEWISTON ID 83501

RE: Temporary Permit No. TP-85-32 and TP-86-42

Dear Applicant(s):

Your two applications for Temporary approval of Water Appropriations has been granted and assigned numbers TP-85-32 and TP-86-42

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,

A handwritten signature in blue ink that reads "Keith E. Franklin". The signature is written in a cursive, flowing style.

Keith E. Franklin
Interim Program Manager

Enclosure – two Temp WR Permits and Receipt No. N029066



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1118 F Street • Lewiston, Idaho 83501 • (208) 799-4370

C.L. "Butch" Otter, Governor
Curt Fransen, Director

March 23, 2012

Keith Franklin
Idaho Department of Water Resources
7600 N. Mineral Drive, Suite 100
Coeur d'Alene, ID 83815

RECEIVED

MAR 26 2012

IDWR/NORTHERN

Dear Mr. Franklin:

We received your letter requesting our comments on the approval of the 2012 temporary water right applications from the Nez Perce County Road and Bridge Department to draw a total of 5.01 acre-feet of water from the Clearwater River at both the Spalding and Lenore boat ramps for road construction activities. The two applications are renewals that have been issued in past years. Assuming all federal, state and local permits have been obtained, regulations met, and reviews completed, we offer the following comments.

The section of the Clearwater River at Lenore is included in water body ID 17060306CL013_07, and the section of the Clearwater River at Spalding is included in water body ID 17060306CL002_07. Both water body ID's are currently listed in Section 5 of the Idaho 2010 Integrated Report as not supporting beneficial uses due to total dissolved gas. These water body IDs are protected for cold water and salmonid spawning aquatic life, primary contact recreation, and domestic water supply beneficial uses. DEQ believes the Clearwater River flow in these two sections is significant enough that the beneficial uses should not be impacted by these temporary water appropriations.

Thank you for the opportunity to comment on your application. If you have any questions regarding the Idaho Water Quality Standards or the conditions listed above, please call us at (208) 799-4370.

Sincerely,

A handwritten signature in black ink, appearing to read "Cindy Barrett".

Cindy Barrett
Water Quality Analyst

c: Mark Ridinger, Nez Perce County Road and Bridge Department
Ray Hennekey, IDFG



State of Idaho

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN,
Interim Director

FAX TRANSMITTAL COVER SHEET

DATE: 3/21/12

TO: Kerby Cole

FROM: _____

FAX #: 208-749-3451

NOTE: BLANK FORMS ARE AVAILABLE ON THE INTERNET AT:
<http://www.idwr.idaho.gov/RulesStatutesForms/>

DOCUMENT DESCRIPTION:

2 - Temp. Water Appropriations - Nez Perce County
Board & Bridge

TOTAL PAGES SENT: 5 PLUS (+) COVER SHEET

CONTACT: _____

Keith Franklin
(NAME OF SENDER)

CHARGES: One (1) free copy per request, cover sheet not included. Two (2) or more copies per request are \$0.25 per page with a \$0.50 minimum

PLEASE CONSIDER THIS DOCUMENT AS A BILLING STATEMENT.

THE CHARGE FOR YOUR FAX COPIES IS \$ _____

PLEASE REMIT BY RETURN MAIL TO THE ABOVE ADDRESS.

PHONE NO: (208) 762-2800

FAX NO: (208) 762-2819

FAXED



State of Idaho

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

March 21, 2012

Kerby Cole, P.E.
Idaho Department of Environmental Quality
1118 F St.
LEWISTON, ID 83501

Re: Application For a Temporary Approval of a Water Appropriation

Dear Mr. Cole:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding two applications to temporarily appropriate a total of 5.03 acre-feet of water from the Clearwater River at Lenore and Spalding, for road construction water by Nez Perce County Road and Bridge. Essentially these are renewals for applications that have been issued in past years. Copies of the applications are attached for your reference.

Would you please submit your comments no later than March 28, 2012? 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 address above, by FAX to 762-2819 or by e-mail to keith.franklin@idwr.idaho.gov.

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

Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Keith E. Franklin', is written over a faint, larger version of the same signature.

Keith E. Franklin
Interim Program Manager

Encl/kf

FAXED



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN,
Interim Director

FAX TRANSMITTAL COVER SHEET

DATE: 3/21/12

TO: Ray Hennekey

FROM: _____

FAX #: 208-799-5012

NOTE: BLANK FORMS ARE AVAILABLE ON THE INTERNET AT:

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CONTACT:

Keith Franklin
(NAME OF SENDER)

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

March 21, 2012

RAY HENNEKEY
IDAHO DEPARTMENT OF FISH & GAME
3316 16TH ST.
LEWISTON, ID 83501

Re: Application For a Temporary Approval of a Water Appropriation

Dear RAY:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding two applications to temporarily appropriate a total of 5.03 acre-feet of water from the Clearwater River at Lenore and Spalding, for road construction water by Nez Perce County Road and Bridge. Essentially these are renewals for applications that have been issued in past years. Copies of the applications are attached for your reference.

Would you please submit your comments no later than March 28, 2012? 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 address above, by FAX to 762-2819 or by e-mail to 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
Interim Program Manager

Encl/kf

*No 3rd/4th/5th renewals
3/22/12 AD*

FAXED