

TP-95-78

Received by [Signature] Date 1/9/09 Time 2:15 p

\$50.00 fee received by [Signature] # NO 19772 Date 1/9/09

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 5 AF and a maximum rate of diversion of 0.22 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 12/31/09.
  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 vaules.
  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 22 day of January, 2009.

[Signature]  
For the Director

JAN 09 2009

Form 202a 11/99

IDWR/North

Indent. No. TP 95-78

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION

(5 AF of less)

Name of Applicant North Idaho Hydroseeding Inc. Phone (208) 772-9936 FAX  
(208) 772-0775  
Address 978 W. Hayden Ave. Hayden Idaho 83835

COPY

1. Source of water \_\_\_\_\_ Tributary to \_\_\_\_\_

2. Location of point of diversion \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 Sec. \_\_\_\_\_ Township \_\_\_\_\_, Range \_\_\_\_\_ B.M.,  
County \_\_\_\_\_ (See attached page)

3. Location of place of use \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 Sec. \_\_\_\_\_ Township \_\_\_\_\_, Range \_\_\_\_\_ B.M.,  
County \_\_\_\_\_

4. Proposed use of water to fill hydroseeders T-120 or T-90 Finn  
Hydroseeders (1,200 gallons or 900 gallons).

5. Amount of water:

Maximum rate of diversion \_\_\_\_\_ cfs or 100 gpm.

Maximum daily volume 10,000 gallons/Day AF; Total volume 5 AF.

6. Duration of diversion: From 1-22-09 to 12-31-09  
Day-month Day-month

7. Proposed diverting works None

8. Who owns the property at the requested point of diversion? See attached sheets

\_\_\_\_\_ See attached sheets

9. Describe the arrangement allowing access to the water 5 horsepower portable pump  
with 50-100ft fill hose back to hydroseeder at roadside.

10. Remarks The majority of our work needed to fill our hydroseeders  
is to preform reclamation seeding and erosion control for various  
Highway Districts, Avista Utilities, Kootenai Electric Co. ect...

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.

1-6-09  
Date

Brent J Leonard  
Applicant President North Idaho Hydroseeding Inc

## LOCATION OF POINTS OF DIVERSION (FILL SPOTS)

1. **Twin Lakes Par 3 Golf Course Rd.** Map 48  
SW 1/4, NE 1/4, T52N, R4W, Sec 8, Kootenai County
2. **Twin Lakes Drainage Creek Off Gunnings Rd.** Map 56  
SW 1/4, NW 1/4, T52N, R4W, Sec 17, Kootenai County
3. **Creek off N. Rimrock Rd., S. Of Ohio Match Rd.** Map 58  
NW 1/4, NE 1/4, T52 N, R3W, Sec 20, Kootenai County
4. **Hayden Lake Sportsmen's Access Boat Launch** Map 67  
SW 1/4, NW 1/4, T52N, R3W, Sec 34, Kootenai County
5. **Hayden Lake Mokins Bay Culvert** Map 75  
SW 1/4, NE 1/4, T51N, R3W, Sec 11, Kootenai County
6. **Coeur d'Alene Lake Wolf Lodge Bay** Map 128  
NE 1/4, SW 1/4, T49N, R3W, Sec 1, Kootenai County
7. **Coeur d'Alene Lake, Carlin Bay Culvert** Map 158  
NW 1/4, NE 1/4, T48N, R3W, Sec 6, Kootenai County
8. **Private Pond off E. EastPort Road** Map 180  
SE 1/4, SE 1/4, T48N, R4W, Sec 22, Kootenai County
9. **Medicine Lake** Map 183  
NW 1/4, NW 1/4, T48N, R2W, Sec 34, Shoshone County
10. **Coeur d'Alene Lake, Kid Island Bay** Map 117  
NW 1/4, SW 1/4, T50N, R4W, Sec 35, Kootenai County
11. **Coeur d'Alene Lake, Mica Bay** Map 126  
NE 1/4, SE 1/4, T49N, R4W, Sec 10, Kootenai County
12. **Coeur d'Alene Lake, Mica Bay S. Goulds Landing Rd.** Map 126  
NW 1/4, SW 1/4, T49 N, R4W, Sec 11, Kootenai County
13. **Coeur d'Alene Lake, Black Rock Bay** Map 157  
SW 1/4, NW 1/4, T48N, R4W, Sec 10, Kootenai County
14. **Coeur d'Alene Lake, Rockford Bay Creek Bridge** Map 168  
SW 1/4, NE 1/4, T48 N, R4W, Sec 18, Kootenai County
15. **Lake Creek Off W. Ford Rd.** Map 166  
NW 1/4, SW1/4, T48N, R5W, Sec 21, Kootenai County
16. **Coeur d'Alene Lake, East of Carey Bay** Map 202  
NE 1/4, SW 1/4, T47N, R3W, Sec 19, Kootenai County

**Question 8** (For Location of Points of Diversion see following page)

**Property Owner**

**Frank Boss (208) 699-3945**

619 S. 9<sup>th</sup> St.

Coeur d'Alene ID 83814

(Point of Diversion No. 8)

**Bureau of Land Management**

**Brian White (208) 769-5031**

3815 N. Schrieber Way

Coeur d'Alene ID 83815

(Point of Diversion No. 6)

**East Side Highway District**

**Tom Christianson (208) 660-2424**

**(Harrison (208) 689-3418)**

6095 Mullan Trail Rd.

Coeur d'Alene ID 83814

(Points of Diversion No. 7, 8, & 9)

**Lakes Highway District**

**Joe Wiest (208) 772-7527**

P. O. Box 460

Hayden ID 83835

(Points of Diversion No. 1, 2, 3, 4, & 5)

**Worley Highway District**

**Kevin Howard (208) 664-0483**

6887 W. Kidd Island Rd.

Coeur d'Alene ID 83814

(Points of Diversion No. 10, 11, 12, 13, 14, 15 & 16)

**Question 9**

**Verbal Permission Given by:**

**Property Owner**

**Frank Boss (208) 699-3945**

(Point of Diversion No. 8)

**Bureau of Land Management**

**Brian White (208) 769-5031**

(Point of Diversion No. 6)

**East Side Highway District**

**Tom Christianson (208) 660-2424**

**(Harrison (208) 689-3418)**

(Points of Diversion No. 7, 8, & 9)

**Lakes Highway District**

**Joe Wiest (208) 772-7527**

(Points of Diversion No. 1, 2, 3, 4, & 5)

**Worley Highway District**

**Kevin Howard (208) 664-0483**

(Points of Diversion No. 10, 11, 12, 13, 14, 15 & 16)



**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](http://www.idwr.idaho.gov)

01/23/2009

C.L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR  
Director

COPY

NORTH IDAHO HYDROSEEDING INC  
978 W HAYDEN AVE  
HAYDEN ID 83835

RE: Temporary Permit No. **TP-95-78**

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number **TP-95-78**.

Please be advised that THE PERMIT IS SUBJECT TO THE EFFECTIVE DATES AND CONDITIONS STATED ON PAGE TWO OF THE APPLICATION.

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

Sincerely,

A handwritten signature in cursive script that reads "Robert G. Haynes". The signature is written in black ink and is positioned above the typed name and title.

Robert G. Haynes, P.E.  
Regional Manager

Enclosure



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

DAVID R. TUTHILL, JR.  
Interim Director

FAX TRANSMITTAL COVER SHEET

DATE: 1-13-09

TO: Narry Terra Berns

FROM: Keith

FAX #: 208-769-1418

COPY

NOTE: BLANK FORMS ARE AVAILABLE ON THE INTERNET AT:  
www.idwr.state.id.us/info/forms.htm

DOCUMENT DESCRIPTION:

Application For Temporary Water  
Appropriation For North Idaho Hydroseeding, Inc.

TOTAL PAGES SENT: 6 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

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

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Director

January 13, 2009

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

COPIED

Re: Application For a Temporary Approval of a Water Appropriation

Dear MARY:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding an application by North Idaho Hydroseeding Inc., to temporarily appropriate 5.0 acre-feet of water from various locations within Kootenai County, for roadside reseeding purposes. Essentially, this is a renewal of the permit that was issued for the 2008 season. A copy of the application is attached for your reference.

Would you please submit your comments no later than January 21, 2009? 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](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  
Water Resources Agent

FAXED

No Comments Received  
1/22/09 KJ

Encl/kf