

TP-94-72

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 0.56 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 3 day of June, 2009.


For the Director

Basin 741

RECEIVED

Form 202a 10/07

MAY 27 2009

Indent. No. TP-94-72

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
IDWR/North

APPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION

(5 AF or less)

Name of Applicant Shoshone County Public Works Phone 208-753-5475

Address 700 Bank St., Ste 35, Wallace, ID 83873 Email pworks2@co.shoshone.id.us

1. Source of water see attached list & map Tributary to _____

2. Location of point of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ Sec. _____ Township _____, Range _____ B.M.,
County Shoshone

3. Location of place of use _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ Sec. _____ Township _____, Range _____ B.M.,
County Shoshone

4. Proposed use of water to water roads for blading, maintenance, and spraying of weeds

5. Amount of water:

Maximum rate of diversion _____ cfs or 250 gpm.

Maximum daily volume _____ AF; Total volume 5 AF.

6. Duration of diversion: From May 18 to December 31
Day-month Day-month

7. Proposed diverting works gas powered volume pump, 250 gpm

8. Who owns the property at the requested point of diversion? _____

9. Describe the arrangement allowing access to the water Most access is within county or Forest Service Road Rights-of-way

10. 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.

May 13, 2009

Date

Applicant

Received by cm Date 5-27-09 Time 12:02 am
\$50.00 fee received by cm # 2020718 Date 5-27-09
Watermaster Comments received? _____ Date _____

Shoshone County Public Works

Water Diversion Points

<i>Source</i>	<i>Point Description</i>	<i>Location</i>	<i>Ownership</i>
<i>Coeur d' Alene River</i>			
	18 CDA River	SE1/4,NW1/4,Sec.36,T49NR1E	Private
	19 Eagle Creek	NE1/4,NW1/4,Sec.26,T50NR4E	Private
	20 Beaver Creek	SE1/4,SE1/4,Sec.27,T49NR4E	USFS
	21 Thompson Pass Road	NW1/4,SW1/4,Sec.10,T49N55E	Private
	22 Shoshone Creek	NE1/4,NE1/4,Sec.5,T50NR4E	USFS
	23 Prichard Creek	NE1/4,NE1/4,Sec.29,T50NR4E	Private
<i>North Fork St. Joe River</i>			
	24 Rougin Creek	SE1/4,SW1/4,Sec.16,T47NR5E	USFS
	25 Champion Creek	SW1/4,SE1/4,Sec.4,T47NR5E	USFS
	26 Bullion Creek	SW1/4,NE1/4,Sec.36,T47NR5E	USFS
	27 Lucky Swede	NE1/4,NE1/4,Sec.6,T46NR6E	USFS
	28 Loop Creek	NW1/4,NW1/4,Sec.8,T46NR6E	USFS
	29 Tunnel	SW1/4,NW1/4,Sec.18,T46NR6E	USFS
	30 Fortynine Creek	NW1/4,SW1/4,Sec.11,T45NR5E	USFS
<i>South Fork of Coeur d' Alene River</i>			
	1 Pond	NE1/4,NW1/4,Sec.11,T48NR3E	USFS
	2 Moon Creek	SW1/4,NE1/4,Sec.35,T49NR3E	BLM
	3 Montgomery Gulch	NW1/4,NE1/4,Sec.4,T48NR3E	BLM
	4 S FK CDA River	NE1/4,SW1/4,Sec.35,T49NR2E	Private
	5 Government Gulch	SE1/4,NW1/4,Sec.11,T48NR2E	Private
	6 Pine Creek	NE1/4,SE1/4,Sec.32,T49NR2E	City
	7 E FK Pine Creek	SW1/4,NW1/4,Sec.28,T48NR2E	BLM
	8 W FK Pine Creek	NE1/4,NW1/4,Sec.31,T48NR2E	BLM
	9 Pond	SE1/4,SE1/4,Sec.30,T49NR2E	Private
	10 Two Mile Creek	SW1/4,NE1/4,Sec.18,T48NR4E	Private
	11 Revenue Gulch	NW1/4,SE1/4,Sec.21,T48NR4E	Private
	12 Lake Gulch	SW1/4,SE1/4,Sec.21,T48NR4E	Private
	13 Canyon Creek	SW1/4,SE1/4,Sec.24,T48NR4E	Private
	14 Nine Mile Creek	SE1/4,SW1/4,Sec.23,T48NR4E	Private
	15 Daisy Gulch	NW1/4,NW1/4,Sec.31,T48NR6E	USFS
	16 Deadman Gulch	SW1/4,SW1/4,Sec.25,T48NR5E	BLM
	17 Grouse Gulch	NE1/4,NE1/4,Sec.32,T48NR5E	Private
<i>St. Joe River</i>			
	31 Setzer Creek	SE1/4,SE1/4,Sec.8,T45NR5E	USFS
	32 Hamilton Creek	SW1/4,SW1/4,Sec.12,T45NR4E	USFS
	33 Big Creek	NE1/4,SW1/4,Sec.5,T45NR3E	Private
	34 St. Joe River	NW1/4,SE1/4,Sec.3,T45NR2E	Private
	35 St. Joe River	SE1/4,NE1/4,Sec.13,T45NR3E	Private

<i>Source</i>	<i>Point Description</i>	<i>Location</i>	<i>Ownership</i>
	36 St. Joe River	SW1/4,NW1/4,Sec.24,T46NR1E	Rivate
	37 Fishhook Creek	SE1/4,NE1/4,Sec.17,T45NR5E	Private
	38 St. Joe River	NW1/4,NW1/4,Sec.14,T45NR5E	USFS
	39 Quartz Creek	NE1/4,SW1/4,Sec.36,T45NR7E	USFS
	40 Bird Creek	NW1/4,NE1/4,Sec.24,T45NR6E	USFS
	41 Stevens Creek	NW1/4,SE1/4,Sec.14,T44NR8E	USFS
	42 Gold Creek	SW1/4,SW1/4,Sec.7,T45NR9E	USFS
	43 Gold Creek	SE1/4,SE1/4,Sec.19,T45NR9E	USFS
	44 Gold Creek	SE1/4,NE1/4,Sec.20,T45NR9E	USFS

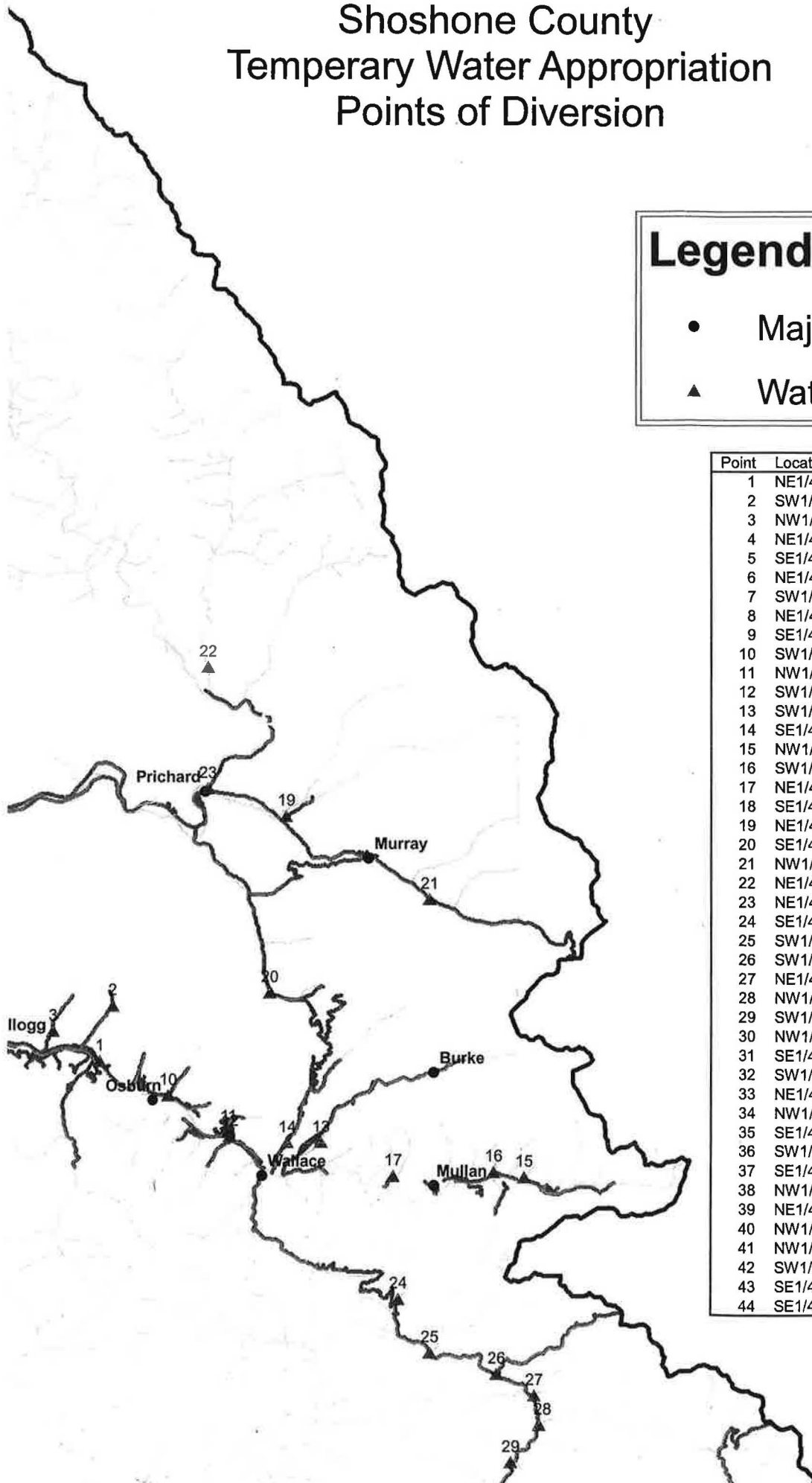
Shoshone County Temporary Water Appropriation Points of Diversion

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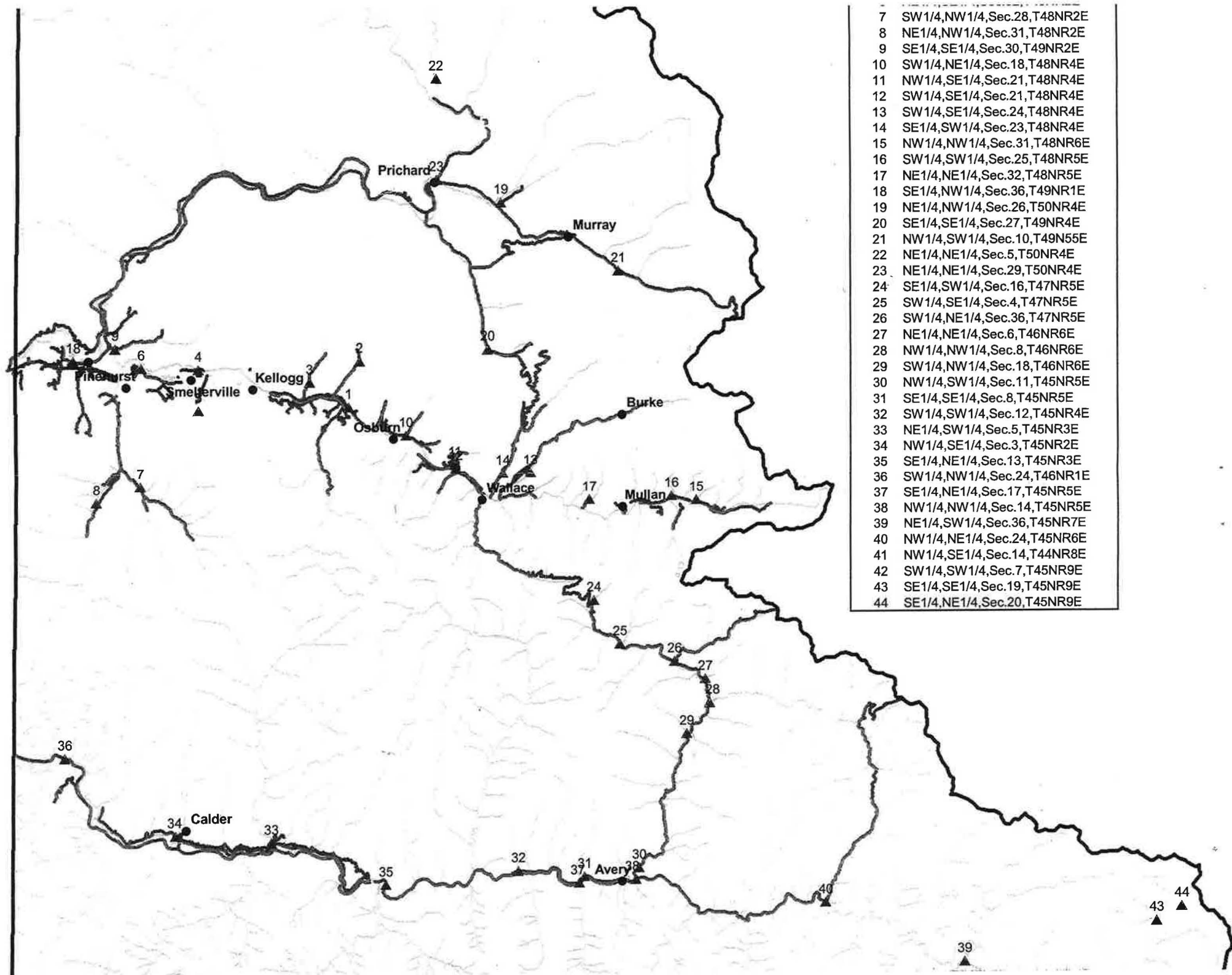


Legend

- Major Cities
- ▲ Water Diversion Points



Point	Location
1	NE1/4,NW1/4,Sec.11,T48NR3E
2	SW1/4,NE1/4,Sec.35,T49NR3E
3	NW1/4,NE1/4,Sec.4,T48NR3E
4	NE1/4,SW1/4,Sec.35,T49NR2E
5	SE1/4,NW1/4,Sec.11,T48NR2E
6	NE1/4,SE1/4,Sec.32,T49NR2E
7	SW1/4,NW1/4,Sec.28,T48NR2E
8	NE1/4,NW1/4,Sec.31,T48NR2E
9	SE1/4,SE1/4,Sec.30,T49NR2E
10	SW1/4,NE1/4,Sec.18,T48NR4E
11	NW1/4,SE1/4,Sec.21,T48NR4E
12	SW1/4,SE1/4,Sec.21,T48NR4E
13	SW1/4,SE1/4,Sec.24,T48NR4E
14	SE1/4,SW1/4,Sec.23,T48NR4E
15	NW1/4,NW1/4,Sec.31,T48NR6E
16	SW1/4,SW1/4,Sec.25,T48NR5E
17	NE1/4,NE1/4,Sec.32,T48NR5E
18	SE1/4,NW1/4,Sec.36,T49NR1E
19	NE1/4,NW1/4,Sec.26,T50NR4E
20	SE1/4,SE1/4,Sec.27,T49NR4E
21	NW1/4,SW1/4,Sec.10,T49NR5E
22	NE1/4,NE1/4,Sec.5,T50NR4E
23	NE1/4,NE1/4,Sec.29,T50NR4E
24	SE1/4,SW1/4,Sec.16,T47NR5E
25	SW1/4,SE1/4,Sec.4,T47NR5E
26	SW1/4,NE1/4,Sec.36,T47NR5E
27	NE1/4,NE1/4,Sec.6,T46NR6E
28	NW1/4,NW1/4,Sec.8,T46NR6E
29	SW1/4,NW1/4,Sec.18,T46NR6E
30	NW1/4,SW1/4,Sec.11,T45NR5E
31	SE1/4,SE1/4,Sec.8,T45NR5E
32	SW1/4,SW1/4,Sec.12,T45NR4E
33	NE1/4,SW1/4,Sec.5,T45NR3E
34	NW1/4,SE1/4,Sec.3,T45NR2E
35	SE1/4,NE1/4,Sec.13,T45NR3E
36	SW1/4,NW1/4,Sec.24,T46NR1E
37	SE1/4,NE1/4,Sec.17,T45NR5E
38	NW1/4,NW1/4,Sec.14,T45NR5E
39	NE1/4,SW1/4,Sec.36,T45NR7E
40	NW1/4,NE1/4,Sec.24,T45NR6E
41	NW1/4,SE1/4,Sec.14,T44NR8E
42	SW1/4,SW1/4,Sec.7,T45NR9E
43	SE1/4,SE1/4,Sec.19,T45NR9E
44	SE1/4,NE1/4,Sec.20,T45NR9E



- 7 SW1/4,NW1/4,Sec.28,T48NR2E
- 8 NE1/4,NW1/4,Sec.31,T48NR2E
- 9 SE1/4,SE1/4,Sec.30,T49NR2E
- 10 SW1/4,NE1/4,Sec.18,T48NR4E
- 11 NW1/4,SE1/4,Sec.21,T48NR4E
- 12 SW1/4,SE1/4,Sec.21,T48NR4E
- 13 SW1/4,SE1/4,Sec.24,T48NR4E
- 14 SE1/4,SW1/4,Sec.23,T48NR4E
- 15 NW1/4,NW1/4,Sec.31,T48NR6E
- 16 SW1/4,SW1/4,Sec.25,T48NR5E
- 17 NE1/4,NE1/4,Sec.32,T48NR5E
- 18 SE1/4,NW1/4,Sec.36,T49NR1E
- 19 NE1/4,NW1/4,Sec.26,T50NR4E
- 20 SE1/4,SE1/4,Sec.27,T49NR4E
- 21 NW1/4,SW1/4,Sec.10,T49N55E
- 22 NE1/4,NE1/4,Sec.5,T50NR4E
- 23 NE1/4,NE1/4,Sec.29,T50NR4E
- 24 SE1/4,SW1/4,Sec.16,T47NR5E
- 25 SW1/4,SE1/4,Sec.4,T47NR5E
- 26 SW1/4,NE1/4,Sec.36,T47NR5E
- 27 NE1/4,NE1/4,Sec.6,T46NR6E
- 28 NW1/4,NW1/4,Sec.8,T46NR6E
- 29 SW1/4,NW1/4,Sec.18,T46NR6E
- 30 NW1/4,SW1/4,Sec.11,T45NR5E
- 31 SE1/4,SE1/4,Sec.8,T45NR5E
- 32 SW1/4,SW1/4,Sec.12,T45NR4E
- 33 NE1/4,SW1/4,Sec.5,T45NR3E
- 34 NW1/4,SE1/4,Sec.3,T45NR2E
- 35 SE1/4,NE1/4,Sec.13,T45NR3E
- 36 SW1/4,NW1/4,Sec.24,T46NR1E
- 37 SE1/4,NE1/4,Sec.17,T45NR5E
- 38 NW1/4,NW1/4,Sec.14,T45NR5E
- 39 NE1/4,SW1/4,Sec.36,T45NR7E
- 40 NW1/4,NE1/4,Sec.24,T45NR6E
- 41 NW1/4,SE1/4,Sec.14,T44NR8E
- 42 SW1/4,SW1/4,Sec.7,T45NR9E
- 43 SE1/4,SE1/4,Sec.19,T45NR9E
- 44 SE1/4,NE1/4,Sec.20,T45NR9E

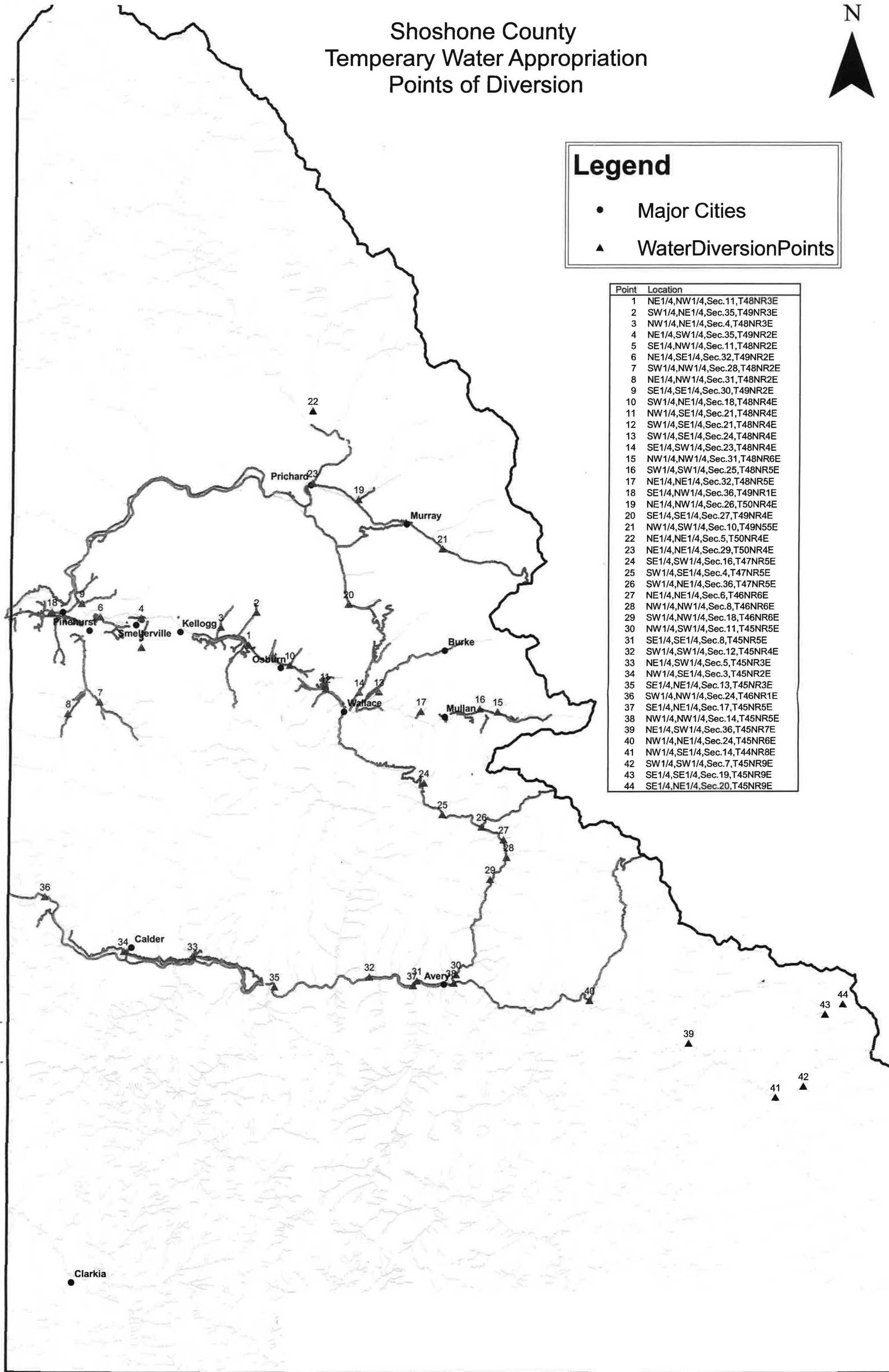
Shoshone County
Temperary Water Appropriation
Points of Diversion



Legend

- Major Cities
- ▲ WaterDiversionPoints

Point	Location
1	NE1/4,NW1/4,Sec.11,T48NR3E
2	SW1/4,NE1/4,Sec.35,T49NR3E
3	NW1/4,NE1/4,Sec.4,T48NR3E
4	NE1/4,SW1/4,Sec.35,T49NR2E
5	SE1/4,NW1/4,Sec.11,T48NR2E
6	NE1/4,SE1/4,Sec.32,T49NR2E
7	SW1/4,NW1/4,Sec.28,T48NR2E
8	NE1/4,NW1/4,Sec.31,T48NR2E
9	SE1/4,SE1/4,Sec.30,T49NR2E
10	SW1/4,NE1/4,Sec.18,T48NR4E
11	NW1/4,SE1/4,Sec.21,T48NR4E
12	SW1/4,SE1/4,Sec.21,T48NR4E
13	SW1/4,SE1/4,Sec.24,T48NR4E
14	SE1/4,SW1/4,Sec.23,T48NR4E
15	NW1/4,NW1/4,Sec.31,T48NR6E
16	SW1/4,SW1/4,Sec.25,T48NR5E
17	NE1/4,NE1/4,Sec.32,T48NR5E
18	SE1/4,NW1/4,Sec.36,T49NR1E
19	NE1/4,NW1/4,Sec.26,T50NR4E
20	SE1/4,SE1/4,Sec.27,T49NR4E
21	NW1/4,SW1/4,Sec.10,T49N55E
22	NE1/4,NE1/4,Sec.5,T50NR4E
23	NE1/4,NE1/4,Sec.29,T50NR4E
24	SE1/4,SW1/4,Sec.16,T47NR5E
25	SW1/4,SE1/4,Sec.4,T47NR5E
26	SW1/4,NE1/4,Sec.36,T47NR5E
27	NE1/4,NE1/4,Sec.6,T46NR6E
28	NW1/4,NW1/4,Sec.8,T46NR6E
29	SW1/4,NW1/4,Sec.18,T46NR6E
30	NW1/4,SW1/4,Sec.11,T45NR5E
31	SE1/4,SE1/4,Sec.8,T45NR5E
32	SW1/4,SW1/4,Sec.12,T45NR4E
33	NE1/4,SW1/4,Sec.5,T45NR3E
34	NW1/4,SE1/4,Sec.3,T45NR2E
35	SE1/4,NE1/4,Sec.13,T45NR3E
36	SW1/4,NW1/4,Sec.24,T46NR1E
37	SE1/4,NE1/4,Sec.17,T45NR5E
38	NW1/4,NW1/4,Sec.14,T45NR5E
39	NE1/4,SW1/4,Sec.36,T45NR7E
40	NW1/4,NE1/4,Sec.24,T45NR6E
41	NW1/4,SE1/4,Sec.14,T44NR8E
42	SW1/4,SW1/4,Sec.7,T45NR9E
43	SE1/4,SE1/4,Sec.19,T45NR9E
44	SE1/4,NE1/4,Sec.20,T45NR9E



0 2 4 8 12 16 Miles



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

06/08/2009

SHOSHONE COUNTY PUBLIC WORKS
700 BANK ST STE 35
WALLACE ID 83873

RE: Temporary Permit No. TP-94-72

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-94-72.

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 black ink that reads "Robert G. Haynes". The signature is written in a cursive, flowing style.

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: 5/26/09

TO: Mary Terra Berns

FROM: Keith Franklin

FAX #: 208-769-1418

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

DOCUMENT DESCRIPTION:

Application For Temp. Water Appropriation
Shoshone County Public Works.

TOTAL PAGES SENT: 7 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

May 26, 2009

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

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 to temporarily appropriate 5.0 acre-feet of water from various locations in the Silver Valley and the St. Joe River area, by the Shoshone County Public Works Department for road maintenance water. A copy of the application is attached for your reference. Essentially this is a renewal of a permit that was issued to them last year.

Would you please submit your comments no later than June 4, 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.

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

Thank you.

Sincerely, <

Keith E. Franklin
Water Resources Agent

Encl/kf

FAXED

*Fish & Game
called and said they
had no comment.
6/3/09
KJ*