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Form 202A 07/13

NOV 17 2014

Basin 94

ID No TP-94-153

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: Yellowstone Pipe Line Company - Kim Olsen, Env. Coordinator Phone: (406) 255-5714

Mailing address: 2626 Lillian Ave City: Billings

State Montana ZIP 59101 Email: kim.a.olsen@p66.com

1 Source of water: North Fork Coeur d'Alene River 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	2E	18		SE	SW	NE	Shoshone	NF Coeur d'Alene River	Culvert 1

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	2E	19					X												

4. Describe proposed use of water: The water will be used in drilling operations for a new HDD crossing of the pipeline. The drilling method used will be a closed system so used water will be reclaimed and disposed of overland.

Water usage will vary but we expect an average 25 gpm or less per day over the project.

5. Amount of water:

Maximum rate of diversion _____ cfs or Average 25 or less gpm.

Maximum daily volume 0 15 AF, total volume 2 AF.

6. Duration of diversion: from January 1, 2015 (day-month) to December 31, 2015 4-6 weeks (day-month)

7. Describe proposed diverting works: Water will be siphoned using a portable diesel pump stored upland

8. a. Who owns the property at the requested point of diversion? State of Idaho

b. Who owns the land to be irrigated or place of use? State of Idaho, Yellowstone Pipe Line Utility Easement

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

9. Additional remarks: Water usage rates will vary depending on drilling rates and loss of water within the formation while drilling. Water will be transported and stored in tanks on-site until needed

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 _____

Date 10/24/14

Received by _____ Date 11/17/14 Time _____
\$50.00 fee receipted by _____ # N030957 Date 11/17/14
Watermaster comments received? _____ Date _____

TP-94-153

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 AF and a maximum rate of diversion of 0.06 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 values.
 8. 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. The Idaho Department of Fish & Game (IDFG) now requires a Special Use Permit if their property is to be used for a point of diversion. IDFG contact in Coeur d'Alene ~ 208-769-1414, and in Lewiston ~ 208-799-5010.
 10. All equipment involved with transporting water shall be treated/sterilized prior to use to avoid spread of invasive aquatic species and may require inspection. Contact the Idaho State Department of Agriculture (www.agri.idaho.gov) for specific recommendations at 208-332-8500 or by e-mail to info@agri.idaho.gov.
 11. This approval expires on December 31, 2015.

Signed this 28 day of November, 2014.



Manager, Northern Region
For the Director



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IDWR / NORTH

Mike S. Miller

Division Pipeline Manager
Phillips 66 – Billings Division
2626 Lillian Ave.
Billings, MT 59101
(406) 255-5727 Office
(406) 255-5734 Fax
Mike.S.Miller@p66.com

October 24, 2014

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

Certified Mail No. 7014 0510 0001 3399 8834

Return Receipt Requested

FILE COPY

ENV 140.0700

Water

Permits

HSE 900 E+5y

Subject: **Application for Re-Authorization of Temporary Approval of Water Appropriations, TP-94-145, TP-94-146 and TP-94-150
Yellowstone Pipe Line Company
YPL 10" Pipeline Coeur d'Alene River Reroute Project – North of Enaville**

Dear Mr. Franklin:

Yellowstone Pipe Line Company (YPL) is the owner of the Yellowstone Pipe Line which transports refined petroleum products from Billings, Montana to Spokane, Washington. Phillips 66 Pipeline LLC (P66) is the operator of the Yellowstone Pipe Line.

Please find enclosed three applications and supporting information for renewals of previously granted Temporary Approval of Water Appropriation submitted by YPL. As before, the water would be used as construction water and for hydro-testing of new pipe for an ongoing reroute of YPL's existing 10-inch pipeline north of Enaville, ID. When completed, the reroute will remove the existing pipeline from the North Fork Coeur d'Alene River and place it within the northbound lane of Coeur d'Alene River Road. The reroute project is expected to be ongoing through this winter while weather conditions are favorable.

Two temporary water appropriations, TP-94-145 and TP-94-146, were approved on March 18, 2014 for the reroute from pipeline mile marker 465.0 to 471.6. One temporary appropriation was received on September 9, 2014 for the reroute between pipeline mile markers 462.2 and 464.4 (TP-94-150). All three of these appropriation approvals expire on December 31, 2014. This request is to re-authorize all three temporary approvals, since it is expected that the work will be ongoing into mid to late May 2015. If the reroute is not completed by Memorial Day, it will resume after Labor Day, 2015 and continue until weather prevents further work. It is our intent to finish the reroute by the end of December 2015. While work is ongoing, water will be used for a period of 4 – 6 weeks. These quantities and durations of withdrawal are the same as previously authorized.

As identified on the attached map the water will be diverted from the left bank (looking downstream) of the North Fork Coeur d'Alene River at established turnouts on Coeur d'Alene River Road. The actual amount of water to be diverted is expected to average less than 25

S-LL

Temporary Water Appropriation Permit
Yellowstone Pipe Line – Coeur d'Alene River Reroute Project
October 24, 2014
Page 2

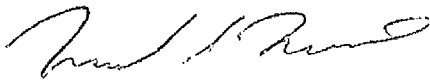
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gallons per minute on a daily basis. The water would be diverted using a portable diesel pump with a screened intake.

Water to be used for hydro-testing of the newly installed pipe will be pumped into a portable tank at the same rate and stored temporarily for the hydro-testing. It is expected that no more than a total of two acre feet of water will be needed for the hydro-testing of the newly installed pipeline. Once the hydro-testing is complete, the water will be discharged overland into a filter bag or a filter fabric lined enclosure to prevent it from discharging directly back to the river.

If you have any questions or require additional information, please do not hesitate to contact me or Dan Nebel with Terracon Consultants (406.656.3072), our agent for this permit application, at your earliest convenience.

Sincerely,



Mike Miller
Division Pipeline Manager

Attachments.

Three Applications for Temporary Approval of Water Appropriation

Location Maps

Check for \$150.00 processing fee (\$50 x 3 applications)

Cc: Dan Nebel, Terracon Consultants, Inc.

Franklin, Keith

From: Franklin, Keith
Sent: Tuesday, November 18, 2014 3:08 PM
To: 'Terra Berns,Mary'
Subject: Temporary Water Appropriations
Attachments: DOC000.pdf

Mary,
Attached are three permit applications to temporarily appropriate water from the North Fork of the Coeur d'Alene River by the Yellowstone Pipeline Company for pipe construction work for year 2015.
If you have any questions, don't hesitate to give me a call.
Thanks.
Keith.



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

GARY SPACKMAN
Interim Director

November 18, 2014

MARY TERRA BERNS
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 three applications to temporarily appropriate a total of 9.0 acre-feet of water from the North Fork of the Coeur d'Alene River, for pipeline work by the Yellowstone Pipe Line Co. Copies of the applications are attached for your reference. The applications are for the 2015 construction year.

Would you please submit your comments no later than November 25, 2014? 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.

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

*No comments received
as of Nov. 29, 2014.
KF*



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
Director

November 28, 2014

KIM OLSEN, ENV. COORDINATOR
YELLOWSTONE PIPE LINE COMPANY
2826 LILLIAN AVE
BILLINGS MT 59101

RE: Temporary Permit No. TP-94-152, TP-94-153 AND TP-94-154

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-94-152, TP-94-153 AND TP-94-153.

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

The Idaho Department of Fish & Game (IDFG) now requires a Special Use Permit if their property is to be used for a point of diversion.

To contact IDFG in Coeur d'Alene, call 208-769-1414; and in Lewiston, call 208-799-5010.

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
Program Manager

Enclosure Copy of TP-94-152, TP-94-153 AND TP-94-153