



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

March 24, 2015

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

RE: Temporary Permit No. TP-85-42 and TP-85-43

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-85-42 and TP-85-43.

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,


for Keith E. Franklin
Program Manager

Enclosure Copy of TP-85-42 and TP-85-43

RECEIVED

For MAR 18 2015

Basin 85

ID No.

TP-85-42

IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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: Nez Perce County Road and Bridge Phone: (208)799-3060
 Address: 0105 33rd Street - Lewiston, ID 83501 Email: robinpaasch@co.nezperce.id.us
 1. Source of water: Clearwater River @ Spalding tributary to Snake River

2. Location of point(s) of diversion:

| TWP | RGE | SEC | GOVT LOT | ¼ | ¼ | ¼ | County | Source | Local name or tag # |
|-----|-----|-----|----------|----|----|---|----------|------------------|---------------------|
| 36N | 4W | 20 | | SW | NE | | NezPerce | Clearwater River | |
| | | | | | | | | | |

3. Location of place of use: NEZ PERCE COUNTY - VARIOUS

| TWP | RGE | SEC | NE | | | | NW | | | | SW | | | | SE | | | | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

4. Describe 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 5 AF; total volume 5 AF.

6. Duration of diversion: from April 1, 2015 to December 31, 2015
 Day-month Day-month

7. Describe proposed diverting works: N/A8. a. Who owns the property at the requested point of diversion? State of Idahob. Who owns the land to be irrigated or place of use? State of Idaho/NezPerce County Roads

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

Boat Ramp9. Additional 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.


Signature of applicant Mark Ridinger, Director

Date

3/11/15Received by dp

Date

3/16/15

Time

\$50.00 fee receipted by dp

#

NO 31105

Date

3/16/15

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 0.20 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 Dec 31, 2015.

Signed this 24 day of March, 2015.


For Manager, Northern Region
For the Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815-7763
Phone: (208) 762-2800 • Fax: (208) 762-2819 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 17, 2015

JOHN CARDWELL
IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY
1118 F ST
LEWISTON ID 83501

Re: Application for a Temporary Approval of a Water Appropriation

Dear John:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding two applications to temporarily appropriate 5 acre-feet and 0.03 acre feet of water from the Clearwater River, for road construction purposes, by Nez Perce County Road and Bridge. A copy of the application is attached for your reference.

Would you please submit your comments no later than March 24, 2015? 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 send comments by regular mail to the above address, by FAX to 208-762-2819 or by e-mail to adam.frederick@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 that reads "Adam Frederick". The signature is written in a cursive, flowing style.

Adam Frederick
Water Resource Agent

Encl/af



State of Idaho

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 17, 2015

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 5 acre-feet and 0.03 acre feet of water from the Clearwater River, for road construction purposes, by Nez Perce County Road and Bridge. A copy of the application is attached for your reference.

Would you please submit your comments no later than March 24, 2015? 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 send comments by regular mail to the above address, by FAX to 208-762-2819 or by e-mail to adam.frederick@idwr.idaho.gov.

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

Thank you.

Sincerely,

Adam Frederick
Water Resource Agent

Encl/af

Frederick, Adam

From: Frederick, Adam
Sent: Tuesday, March 17, 2015 1:19 PM
To: 'john.cardwell@deq.idaho.gov'
Subject: Temporary Water Appropriation
Attachments: Nez Perce County IDEQ.pdf

John,
Attached for your review and comment, please find two applications to temporarily appropriate 5.03 acre feet of water from the Clearwater River for road construction purposes by Nez Perce County Road and Bridge. If you have any questions, don't hesitate to give me a call.

Thanks,
Adam

Adam Frederick
Water Resource Agent
Idaho Department of Water Resources
Northern Regional Office
Phone 208-762-2800

Frederick, Adam

From: Frederick, Adam
Sent: Tuesday, March 17, 2015 12:47 PM
To: 'ray.hennekey@idfg.idaho.gov'
Subject: Temporary Water Appropriation
Attachments: Nez Perce County IDFG.pdf

Ray,
Attached for your review and comment, please find two applications to temporarily appropriate 5.03 acre feet of water from the Clearwater River for road construction purposes by Nez Perce County Road and Bridge. If you have any questions, don't hesitate to give me a call.

Thanks,
Adam

Adam Frederick
Water Resource Agent
Idaho Department of Water Resources
Northern Regional Office
Phone 208-762-2800

Goodwin, Chad

From: Franklin, Keith
Sent: Monday, March 16, 2015 3:42 PM
To: Northern Region
Subject: Medical Leave of Absence

While I'm away for the next few weeks, Chad Goodwin take over the helm. He is authorized to sign anything that may arise. See you in about 3 weeks.

Keith.



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1118 F Street • Lewiston, Idaho 83501 • (208) 799-4370
www.deq.idaho.gov

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

March 24, 2015

Adam Frederick
Idaho Department of Water Resources
7600 N. Mineral Drive, Suite 100
Coeur d'Alene, Idaho 83815

RECEIVED

MAR 26 2015

IDWR/NORTHERN

Dear Mr. Frederick:

We received your letter requesting our comments on the approval of the 2015 temporary water appropriation applications from the Nez Perce County Road and Bridge Department to draw a total of 5.03 acre-feet of water from the Clearwater River at both the Spalding and Lenore boat ramps for road construction purposes. 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 two sections of the Clearwater River at Lenore and at Spaulding are protected for cold water and salmonid spawning aquatic life, primary contact recreation and domestic water supply designated beneficial uses. In the Idaho Water Quality Standards, the section of the Clearwater River at Lenore is included in water body ID 17060306CL013_07 and is currently listed in Category 5 of the Idaho 2012 Integrated Report as not supporting the cold water aquatic life beneficial use due to dissolved gas supersaturation. The section of the Clearwater River at Spaulding is included in water body ID 17060306CL002_07 and is currently listed in Category 2 of the Idaho 2012 Integrated Report as supporting designated beneficial uses. DEQ believes the Clearwater River flow at both points of diversion 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 cursive script, appearing to read "Cindy Barrett".

Cindy Barrett
Surface Water Quality Manager

c: Mark Ridinger, Nez Perce County Road and Bridge Department
ec: John Cardwell, DEQ