

Basin 98

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ID No. TP-98-33
RECEIVED

OCT 05 2015

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: Shannon & Wilson, Inc., attn: Andrew Caneday Phone: (206) 695-6720
Mailing address: 400 N 34th Street City: Seattle
State Washington ZIP 98103 Email: ajc@shanwil.com

1. Source of water: Moyie River tributary to Kootenai 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 #
65N	2	15		NW	SE	NE	Boundary	Moyie River	

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	
65N	2	15				NW													

4. Describe proposed use of water The diversion is necessary to supply water to the drilling operation at two bore sites.

5. Amount of water:

Maximum rate of diversion 0.45 cfs or 200 gpm.

Maximum daily volume max 0.002 AF; total volume max 0.002 AF.

6. Duration of diversion: from 2 November (day-month) to 6 November (day-month).

7. Describe proposed diverting works: Small water transfer pump with fish screen and hosing.

8. a. Who owns the property at the requested point of diversion? Union Pacific Railroad

- b. Who owns the land to be irrigated or place of use? Union Pacific Railroad

- c. If the property is owned by a person other than the applicant, describe the arrangement allowing access to the water:
Shannon & Wilson, Inc. (S&W) is a consultant to the Union Pacific Railroad (UPRR). UPRR has hired S&W to

9. Additional remarks: perform geotechnical explorations at two locations along the railroad, adjacent to the Moyie River.
A UPRR representative will be on site during the drilling operation and has granted S&W access to the property.

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.

Andrew Caneday
Signature of applicant

9/29/15
Date

Received by [Signature] Date 10/5/15 Time
\$50.00 fee receipted by [Signature] # N031562 Date 10/5/15
Watermaster comments received? Date

TP-98-33

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 .002 AF and a maximum rate of diversion of 0.45 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. Direct discharge of waste water slurry into rivers, creeks, or streams is not authorized.
 12. This approval expires on 12/31, 20 15.

Signed this 9 day of Oct., 20 15.



Manager,
For the Director

Northern

Region



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

October 6, 2015

KIIRA SIITARI
IDAHO DEPARTMENT OF FISH & GAME
2885 KATHLEEN AVE
COEUR D' ALENE, ID 83815

Re: Application for a Temporary Approval of a Water Appropriation

Dear Kiira:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding an application to temporarily appropriate 0.002 acre-feet of water from the Moyie River for drilling operations, by Shannon & Wilson Inc. A copy of the application is attached for your reference.

Would you please submit your comments no later than October 13, 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, October 06, 2015 2:22 PM
To: 'Siitari, Kiira'
Subject: Temporary Water Appropriation
Attachments: Temporary Shannon & Wilson.pdf

Kiira,
Attached for your review and comment, please find an application to temporarily appropriate 0.002 acre feet of water from the Moyie River for drilling operations by Shannon & Wilson Inc. 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: Siitari, Kiira [kiira.siitari@idfg.idaho.gov]
Sent: Friday, October 09, 2015 1:35 PM
To: Frederick, Adam
Cc: Corsi, Charles
Subject: RE: Temporary Water Appropriation

Dear Adam,

Thank you for the opportunity to review this application for a temporary water appropriation by Shannon & Wilson, Inc for 0.002 AF of water from the Moyie River . The purpose of these comments is to assist the decision-making authority by providing technical information addressing potential effects on wildlife and wildlife habitat and how any adverse effects might be mitigated. It is not the purpose of Idaho Department of Fish and Game to support or oppose this proposal.

Due to the small quantity requested, intake screening, and limited approach velocities (<0.5 ft/s) we do not foresee significant negative impacts to fish and wildlife due to this withdrawal. Please pass on our standard fish screening specs (≤ 0.025 " mesh) to the applicant. Feel free to contact me if you have any questions.

Sincerely,
Kiira Siitari

Kiira Siitari
Environmental Staff Biologist
Idaho Department of Fish and Game
Panhandle Region
2885 Kathleen Avenue
Coeur d'Alene, ID 83815
Office: (208) 769-1414
Cell: (208) 258-0296
kiira.siitari@idfg.idaho.gov

From: Frederick, Adam [<mailto:Adam.Frederick@idwr.idaho.gov>]
Sent: Tuesday, October 06, 2015 2:22 PM
To: Siitari, Kiira
Subject: Temporary Water Appropriation

Kiira,
Attached for your review and comment, please find an application to temporarily appropriate 0.002 acre feet of water from the Moyie River for drilling operations by Shannon & Wilson Inc. 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



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

October 9, 2015

SHANNON & WILSON, INC.
ATTN: ANDREW CANEDAY
400 N 34TH ST
SEATTLE WA 98103

RE: Temporary Permit No. TP-98-33

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-98-33.

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-98-33