



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

RECEIVED

MAY 20 2016

DEPARTMENT OF
WATER RESOURCES

May 18, 2016

NORTH LATAH COUNTY HIGHWAY DISTRICT
1132 WHITE AVE
MOSCOW ID 83843

RE: Temporary Permit No. TP-86-55 & TP-87-48

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-86-55 & TP-87-48.

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 "Morgan Case". The signature is written in a cursive, flowing style.

Morgan Case
Northern Regional Manager

Enclosure Copy of TP-86-55 & TP-87-48

Basin 86

ID No. TP-86-55STATE 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: NORTH LATAH COUNTY HIGHWAY DISTRICT Phone: 208-882-7490
 Mailing address: 1132 WHITE AVE City: MOSCOW
 State ID ZIP 83843 Email: NLCHD@NLCHD.COM
 1. Source of water: VARIOUS tributary to VARIOUS

2. Location of point(s) of diversion:

TWP	RGE	SEC	GOVT LOT	¼	¼	¼	County	Source	Local name or tag #
40N	01W	34			NW	NW	LATAH	POTLACH R @ BOULDER	
41N	01W	36			SW	NE	LATAH	POTLACH R @ BOVILL	

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	

4. Describe proposed use of water WATER TO BE USED IN DUST ABATEMENT AND ROAD STABILIZATION
OPERATIONS THROUGHOUT THE NORTH LATAH COUNTY HIGHWAY DISTRICT ROAD SYSTEM

5. Amount of water:

Maximum rate of diversion 0.33 cfs or 150 gpm.Maximum daily volume 0.2 AF; total volume 4.0 2.0 AF.6. Duration of diversion: from 5/9/2016 (day-month) to 10/01/2016 (day-month).7. Describe proposed diverting works: TRASH PUMP8. a. Who owns the property at the requested point of diversion? STATE OF IDAHO/PUBLIC RIGHT OF WAYb. Who owns the land to be irrigated or place of use? PUBLIC RIGHT OF WAYc. If the property is owned by a person other than the applicant, describe the arrangement allowing access to the water:
ROAD ACCESS NEAR BRIDGES

9. Additional 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.

Signature of applicant [Signature]Date 5/9/16

Received by [Signature] Date 5-9-2016 Time _____
 \$50.00 fee received by [Signature] # N031888 Date 5-9-2016
 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 2.0 AF and a maximum rate of diversion of 0.33 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 applicant shall not divert flow from the Big Bear Creek unless flows are higher than 1 cfs.
 10. 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.
 11. 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.
 12. Direct discharge of waste water slurry into rivers, creek, or streams is not authorized.
 13. This approval expires on 10/01, 20 16.

Signed this 16 day of May, 20 16.

Morgan Case
Manager, Northern Region
For the Director

Ident. No. TP-86-55

[illegible]

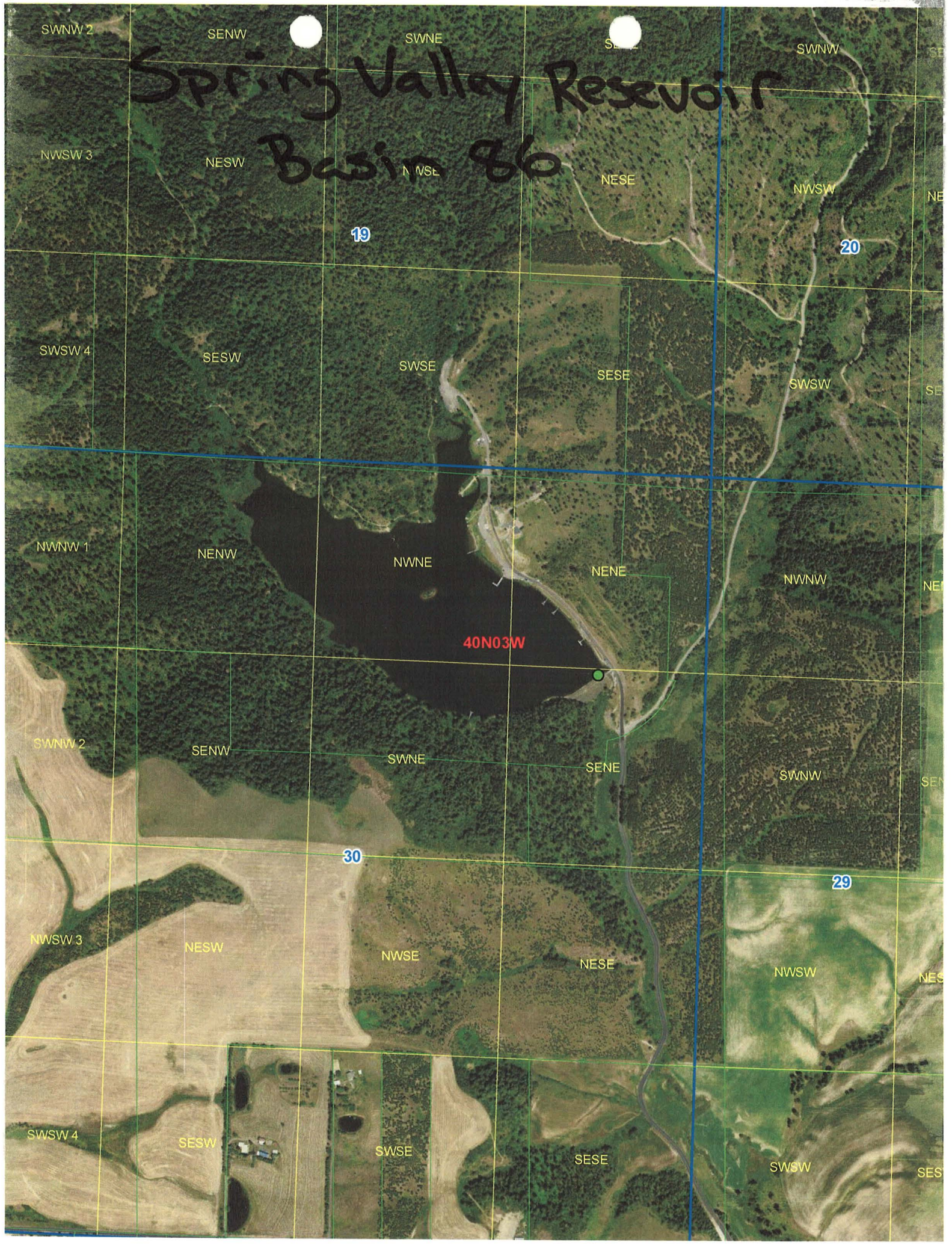


Big Bear @ Ailor Rd Basin 86



Spring Valley Reservoir

Basin 86







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

May 9, 2016

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 2.0 acre-feet and 4.0 acre-feet of water from various sources, for road maintenance, by North Latah County Highway District. A copy of the applications is attached for your reference.

Would you please submit your comments no later than May 16, 2016? 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
Senior Water Resource Agent

Encl/af



State of Idaho

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 9, 2016

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 2.0 acre-feet and 4.0 acre-feet of water from various sources, for road maintenance, by North Latah County Highway District. A copy of the applications is attached for your reference.

Would you please submit your comments no later than May 16, 2016? 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
Senior Water Resource Agent

Encl/af

Frederick, Adam

From: Frederick, Adam
Sent: Monday, May 09, 2016 3:03 PM
To: 'ray.hennekey@idfg.idaho.gov'
Subject: Temporary Water Appropriation
Attachments: North Latah County IDFG.pdf

Ray,

Attached for your review and comment, please find two applications to temporarily appropriate 2.0 acre-feet and 4.0 acre-feet of water from various sources, for road maintenance, by North Latah County Highway District. If you have any questions, don't hesitate to give me a call.

Thanks,
Adam

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

Frederick, Adam

From: Frederick, Adam
Sent: Monday, May 09, 2016 3:02 PM
To: 'john.cardwell@deq.idaho.gov'
Subject: Temporary Water Appropriation
Attachments: North Latah County IDEQ.pdf

John,
Attached for your review and comment, please find two applications to temporarily appropriate 2.0 acre-feet and 4.0 acre-feet of water from various sources, for road maintenance, by North Latah County Highway District. If you have any questions, don't hesitate to give me a call.

Thanks,
Adam

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



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
John H. Tippetts, Director

May 17, 2016

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

Dear Mr. Frederick,

We received your letter requesting our comments on the 2016 applications for temporary water appropriations by the North Latah County Highway District for dust abatement and road stabilization operations from May 9 to October 1. The proposals are to draw 2.0 acre-feet total volume of water, with maximum daily volume of 0.2 acre feet from each of the following locations: Potlatch River at Boulder Creek, Potlatch River at Bovill, Big Bear Creek, Spring Valley Reservoir and Moose Creek Reservoir. The applicant proposes to draw 4.0 acre-feet total volume of water, with maximum daily volume of 0.2 acre feet from the Palouse River at Potlatch and the South Fork Palouse River at Moscow. Assuming all federal, state and local permits have been obtained, regulations met, and reviews completed, we offer the following comment.

The two sections of the Potlatch River at Boulder Creek and Bovill are protected for cold water aquatic life, salmonid spawning, primary contact recreation, and domestic water supply designated beneficial uses. The two sections of the Potlatch River are included in Category 4a of the 2012 Integrated Report due to temperature impairment. DEQ believes the flows at the points of diversion at the two locations is significant enough that the beneficial uses should not be impacted by the temporary water appropriation and not cause a reduction in flow that will exceed the total maximum daily load allocation for temperature and Idaho water quality standards.

Spring Valley Reservoir is included in water body ID# 17060306CL060_02 and is protected for cold water aquatic life, salmonid spawning, and secondary contact recreation designated beneficial uses. The beneficial use support status for Spring Valley Reservoir is currently unassessed in the Idaho 2012 Integrated Report. DEQ believes the flow at the point of diversion within Spring Valley Reservoir is significant enough that the beneficial uses should not be impacted by the temporary water appropriation.

Big Bear Creek is included in water body ID# 17060306CL056_05 and is protected for cold water aquatic life, salmonid spawning, and secondary contact recreation beneficial uses. Big Bear Creek is listed in Category 4a of the Idaho 2012 Integrated Report as having a Total Maximum Daily Load (TMDL) allocation for water temperature and *E. coli* bacteria pollutants. We are concerned that there may not be sufficient flow outside the seasonal high flow period to support the designated beneficial uses and provide the volume necessary for the TMDL allocations for listed pollutants. We recommend that the legally appropriated withdrawal be made during periods of seasonal high flow or at a minimum, flows greater than 1 cfs. We would like to suggest an alternative location be considered where flow is adequate to protect beneficial uses while still allowing for the requested withdrawal.

Moose Creek Reservoir is included in water body ID# 17060306CL053_03 and is protected for cold water aquatic life, salmonid spawning, and secondary contact recreation beneficial uses. The beneficial

use support status for Moose Creek Reservoir is currently unassessed in the Idaho 2012 Integrated Report. DEQ believes the flow at the point of diversion within Moose Creek Reservoir is significant enough that the beneficial uses should not be impacted by the temporary water appropriation.

The Palouse River at Potlatch is included in water body ID#17060108CL010_04 and is protected for cold water aquatic life and secondary contact recreation beneficial uses. The Palouse River is in Category 3 of the 2012 Integrated Report as the beneficial use support status is unassessed. DEQ believes the flow at the point of diversion is significant enough that the beneficial uses should not be impacted by the temporary water appropriation.

The South Fork Palouse River is included in water body ID#17060108CL002_03 and is protected for cold water aquatic life, salmonid spawning and secondary contact recreation beneficial uses. The South Fork Palouse River is included in Category 4a and 4c of the 2012 Integrated Report for *E. coli* bacteria, nutrients, sediment and temperature impairments and flow and habitat alteration. DEQ stream survey data from 2002 and 2013 recorded flows of 0.17 and 0.9 cfs in the area near the point of diversion. We are concerned that there may not be sufficient flow outside the seasonal high flow period to support the designated beneficial uses and provide the volume necessary for the TMDL allocations for listed pollutants. We recommend that the legally appropriated withdrawal be made at a minimum when flows are greater than 1 cfs. We would like to suggest an alternative location be considered where flow is adequate to protect beneficial uses while still allowing for the requested withdrawal.

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,



Cindy Barrett
Surface Water Quality Manager

c: North Latah County Highway District, Moscow
John Cardwell, DEQ