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Form 202A 07/13

MAY 08 2016

Basin 94

ID No. TP-94-168

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: North Wind Construction Services Phone: 208-783-1069Mailing address: 1176 Big Creek Road City: KelloggState Idaho ZIP 83837 Email: crichardson@northwindgrp.com1. Source of water: East Fork Ninemile Creek tributary to Ninemile Creek

2. Location of point(s) of diversion:

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #
T48N	R4E	12		SE	NE		Shoshone	EFNM Creek	See attachment 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	
T48N	R5E	6																	
T48N	R5E	7																	

4. Describe proposed use of water Water is to be used for dust control purposes on area roads during remediation of a mine site. Impacted roads are in the adjacent Sections to the east and north of the proposed point of diversion. Attachment 1 shows proposed point of diversion and Attachment 2 shows point of diversion and area of water usage.

5. Amount of water:

Maximum rate of diversion 0.45 cfs or 200 gpm.Maximum daily volume 0.125 AF; total volume 4.0 AF.6. Duration of diversion: from 15-June-2016 (day-month) to 04-Nov-2016 (day-month).7. Describe proposed diverting works: Temporary pump with screened inlet to be installed in a pool within the creek channel8. a. Who owns the property at the requested point of diversion? Coeur D' Alene Trustb. Who owns the land to be irrigated or place of use? Coeur D' Alene Trust

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

9. Additional remarks: A portable pumping station is to be installed at an established pull out adjacent to the East Fork of Ninemile Creek at our jobsite. Location of pumping site is the first bridge on East Fork Ninemile Road. Pumping station and water truck will be off the road and outside the path of traffic.

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 5/4/2016Received by db Date 5/6/16 Time\$50.00 fee received by db # N031882 Date 5/6/16

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.

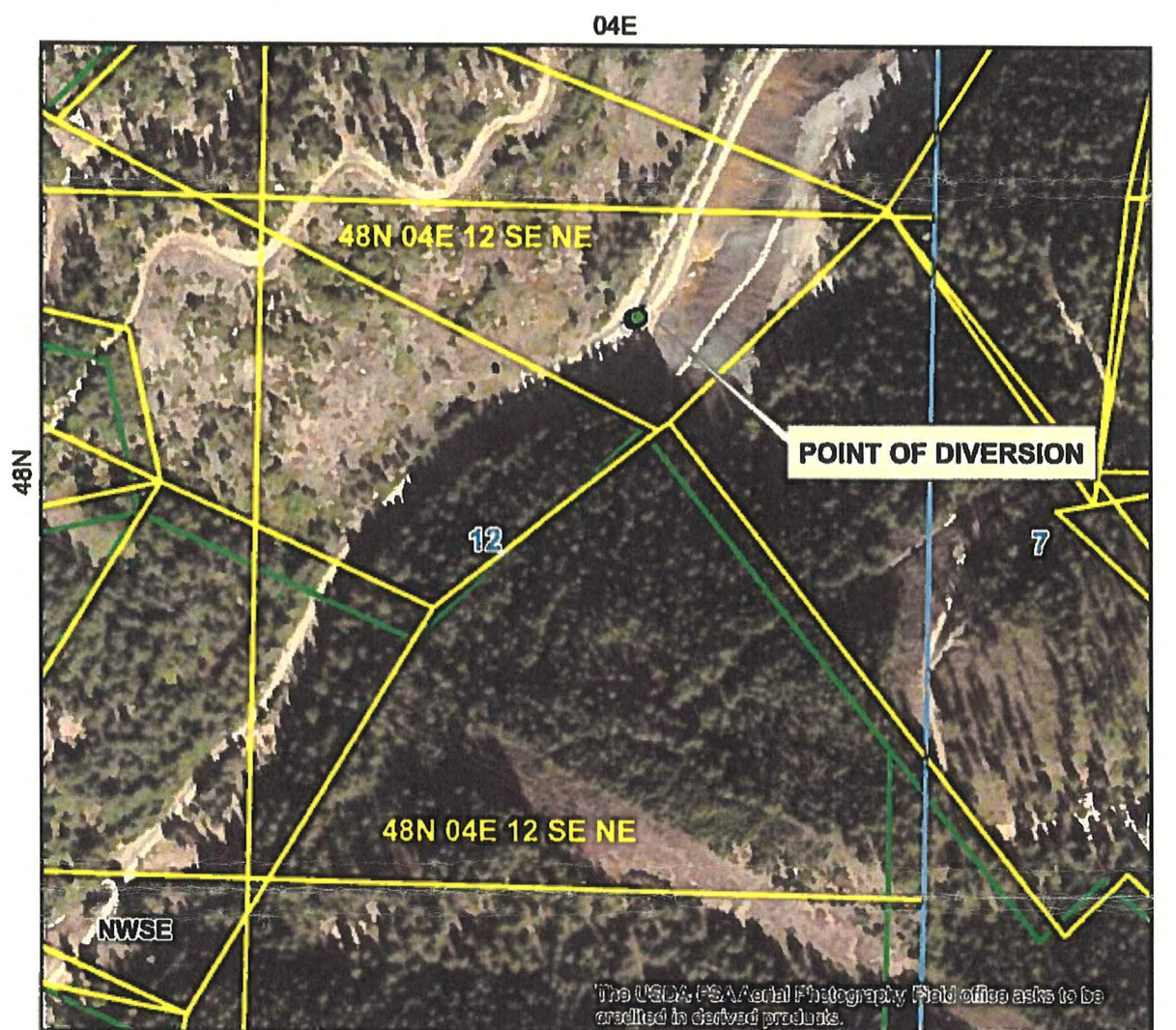
This application is therefore hereby:

- ☐ 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 4.0 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, creek, or streams is not authorized.
 12. This approval expires on 11/4, 20 16.

Signed this 16th day of May, 20 16.

Morgan Case
Manager, Northern Region
For the Director

State of Idaho
Department of Water Resources
Application for Temporary Approval of Water Appropriation
94-XXXXXX



0 0.0425 0.085 0.17 Miles

-  PLS Sections
-  Taxlots

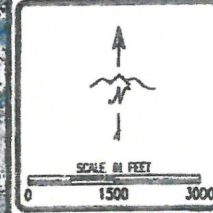




REVISION	DATE	BY	DESC.

DRAWN BY:	CIA
DESIGNED BY:	ESR
CHECKED BY:	JSA
APPROVED BY:	ASR
PROJECT NO.	
DATE:	1/27/16

DISPLAYED AS:	
COORD SYS/ELEV. REF. HT.	
DATUM:	NAD83
UNITS:	SURVEY FEET
SOURCE:	2011 MAP



COEUR D'ALENE TRUST
SUCCESS COMPLEX
100% DESIGN

SITE
VICINITY
MAP

PROFESSIONAL ENGINEER
ANTHONY J. WESCH
P-15221
STATE ORIGINAL SIGNATURE
1/27/16
STATE OF IDAHO
ANTHONY J. WESCH
TRUST

PIONEER
TECHNICAL SERVICES, INC.
1176 BIG CREEK RD. STE. A
HELLO, ID 83827
(208) 763-4077

SHEET
G-3



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 6, 2016

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

Re: Application for a Temporary Approval of Water Appropriation

Dear Kiira:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding an application to temporarily appropriate 4.0 acre-feet of water from the East Fork of Ninemile Creek for dust abatement, by North Wind Construction Services. A copy of the application is attached for your reference.

Would you please submit your comments no later than May 13, 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

Frederick, Adam

From: Frederick, Adam
Sent: Friday, May 06, 2016 1:17 PM
To: 'Siitari, Kiira'
Subject: Temporary Water Appropriation
Attachments: Temporary North Wind Construction.pdf; Temp Map.pdf

Kiira,
Attached for your review and comment, please find an application to temporarily appropriate 4.0 acre feet of water from the East Fork of Ninemile Creek for dust abatement by North Wind Construction Services. 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 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

May 16, 2016

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MAY 18 2016

DEPARTMENT OF
WATER RESOURCES

NORTH WIND CONSTRUCTION SERVICES
1176 BIG CREEK RD
KELLOGG ID 83837

RE: Temporary Permit No. TP-94-168

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-94-168.

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-94-168