

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources ("Department") has examined this application for temporary approval to use water under the provisions of Idaho Code § 42-202A and has determined that:

- ☐ A. The application for temporary approval should be denied because _____
- ☒ 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.
 5. If the temporary approval is within a water district, the Department has sought and considered the recommendations of the watermaster.

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 of the use of the water under this approval.
 3. This approval authorizes a maximum diversion volume of 3.1 AF and a maximum rate of diversion of 0.67 cfs.
 4. This approval does not grant a right-of-way across the land of another.
 5. The Department may cancel or reduce the rate of flow or volume authorized by this approval. For example, the Department may cancel or reduce this approval if it concludes the water use is injuring other water rights or adversely affecting fish, wildlife or other public values.
 6. The applicant shall not divert water when downstream minimum flow water rights are not being satisfied.
 7. This approval does not create a continuing right to use water.
 8. A temporary approval for ground water recharge or prevention of flood damage shall be an opportunistic use of surplus water and shall not interfere with the filling of surface water reservoirs.
 9. For a temporary approval authorizing ground water recharge or ground water or surface water remediation, the applicant shall measure and record the weekly quantity of water diverted and report the diversion data to the Department upon request.
 10. 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.
 11. This temporary approval is not an authorization for the described water use to be used as mitigation or credit for any other purpose.
 12. Direct discharge of waste water/slurry is not authorized under this approval.
 13. A copy of the approved permit MUST be with pump when diverting.
 14. Other: _____
 15. This approval expires on 10 OCTOBER 2020.

Signed this 22nd day of July, 2020.


Adam Frederick, Water Right Supervisor



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N MINERAL DR STE 100 • COEUR D ALENE, ID 83815-7763
Phone: (208)762-2800 • Fax: (208)769-2819 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

July 22, 2020

BOUNDARY COUNTY ROAD & BRIDGE
PO BOX 1418
BONNERS FERRY ID 83805-1418

RE: Application for Temporary Approval of Water Use: TP-98-47

Dear Applicant(s):

Your application for temporary water appropriation has been approved and is enclosed. The approval authorizes the temporary use of water and does not grant trespass or other activity on public land or on private property.

Please review the **conditions of approval on page 2 of the Application for Temporary Approval form** to understand the limitations associated with the temporary use of water.

This temporary approval **expires on** October 10, 2020. The expiration date cannot be extended under this temporary approval.

If you have any questions, please feel free to contact this office, and any of our agents will be able to assist you.

If you require additional information regarding this matter, please call me at (208) 762-2800 or email me at Luke.Bates@idwr.idaho.gov

Sincerely,

Luke Bates
Water Resource Agent.

Enclosure(s) Copy of Application

Bates, Luke

From: Chantilly.Higbee@deq.idaho.gov
Sent: Monday, July 20, 2020 11:53 AM
To: Bates, Luke
Subject: RE: IDWR Temporary Approval

Hi Luke,

DEQ's Surface Water department has no comment on the application.

Thank you for the opportunity,

Chantilly



Chantilly Higbee | Water Quality Compliance Officer
Idaho Department of Environmental Quality
2110 Ironwood Parkway
Coeur d'Alene, Idaho 83814
Office: (208) 666-4605
<http://www.deq.idaho.gov/>

Our mission is to protect human health and the quality of Idaho's air, land, and water.

From: Bates, Luke [mailto:Luke.Bates@idwr.idaho.gov]
Sent: Thursday, July 16, 2020 3:47 PM
To: merritt.horsmon@idfg.idaho.gov; Chantilly Higbee
Subject: IDWR Temporary Approval

Dear Interested Agencies:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding an application to temporarily appropriate 3.1 acre-feet of water from multiple points of diversion, for road maintenance and construction, by Boundary County Road and Bridge. A copy of the application is attached for your reference.

Would you please submit your comments no later than **July 23, 2020**. 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.

Please send comments to Luke Bates by FAX to 208-762-2819, or by e-mail to luke.bates@idwr.idaho.gov.

If you have any questions, don't hesitate to contact me at the Northern Region Office (208) 762-2800.

Thank you,

Luke Bates
Water Resource Agent
Idaho Dept. of Water Resources
Northern Regional Office
P: (208) 762-2800
F: (208) 762-2819
Luke.bates@idwr.idaho.gov

Bates, Luke

From: Bates, Luke
Sent: Thursday, July 16, 2020 3:47 PM
To: 'merritt.horsmon@idfg.idaho.gov'; 'Chantilly.Higbee@deq.idaho.gov'
Subject: IDWR Temporary Approval
Attachments: Boundary County Road and Bridge temp water application..pdf

Dear Interested Agencies:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding an application to temporarily appropriate 3.1 acre-feet of water from multiple points of diversion, for road maintenance and construction, by Boundary County Road and Bridge. A copy of the application is attached for your reference.

Would you please submit your comments no later than **July 23, 2020**. 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.

Please send comments to Luke Bates by FAX to 208-762-2819, or by e-mail to luke.bates@idwr.idaho.gov.

If you have any questions, don't hesitate to contact me at the Northern Region Office (208) 762-2800.

Thank you,

Luke Bates
Water Resource Agent
Idaho Dept. of Water Resources
Northern Regional Office
P: (208) 762-2800
F: (208) 762-2819
Luke.bates@idwr.idaho.gov

RECEIVED

JUL 16 2020

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESIDWR / **APPLICATION FOR TEMPORARY APPROVAL OF WATER USE**For a use not intended to become an established water right and not to exceed one (1) year in duration in accordance with Idaho Code § 42-202A.

Name of applicant Boundary County Road & Bridge Phone (208) 267-3838
 Mailing address PO Box 1418 City Bonnerr Ferry
 State ID Zip 83805 Email rnelson@boundarycountyid.org

1. Source of water multiple tributary to Kootenai River
 2. Location of point(s) of diversion. If more than two, attach a Point of Diversion/Place of Use Supplement. ☒

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #

See Point of Diversion Supplement

3. Location of place of use. If more rows are needed, attach a Point of Diversion/Place of Use Supplement. ☒

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

See Map of Diversions 2020

4. Proposed use of water:
 a. ☐ Prevention of flood damage ☐ Ground water recharge ☐ Ground water or surface water remediation
☒ Other (Limited to a diverted volume of 5 acre-feet.) Describe: Road maintenance/construction
 b. Attach a detailed description of how the proposal will accomplish the intended objective, such as prevention of flood damage.
 5. Amount of water. Complete all three:
 a. Maximum rate of diversion: _____ cfs; or 300 gpm.
 b. Maximum daily volume: _____ AF; or 30,000 gallons.
 c. Maximum volume over the duration of the request: _____ AF; or <1 M gallons.
 6. Duration of diversion: from July 20 (month-day) to October 10 (month-day).
 7. Describe proposed diverting works: water roads
 8. a. Who owns the property at the requested point of diversion? Boundary County right of way
 b. Who owns the facilities that will convey water to the place of use? Boundary County
 c. Who owns the land to be irrigated or place of use? Boundary County
 d. If any of the items above is owned by a person or entity other than the applicant, describe the arrangement allowing access and attach written evidence of the arrangement. _____
 9. Attach an 8 1/2" x 11" map identifying the water source, point(s) of diversion, place(s) of use and conveyance system.

I hereby acknowledge that I assume all risk of the diversion and use of the water under this approval. I certify this is a temporary use and is not intended to become an established water right.

Ruel Nelson
 Signature of Applicant

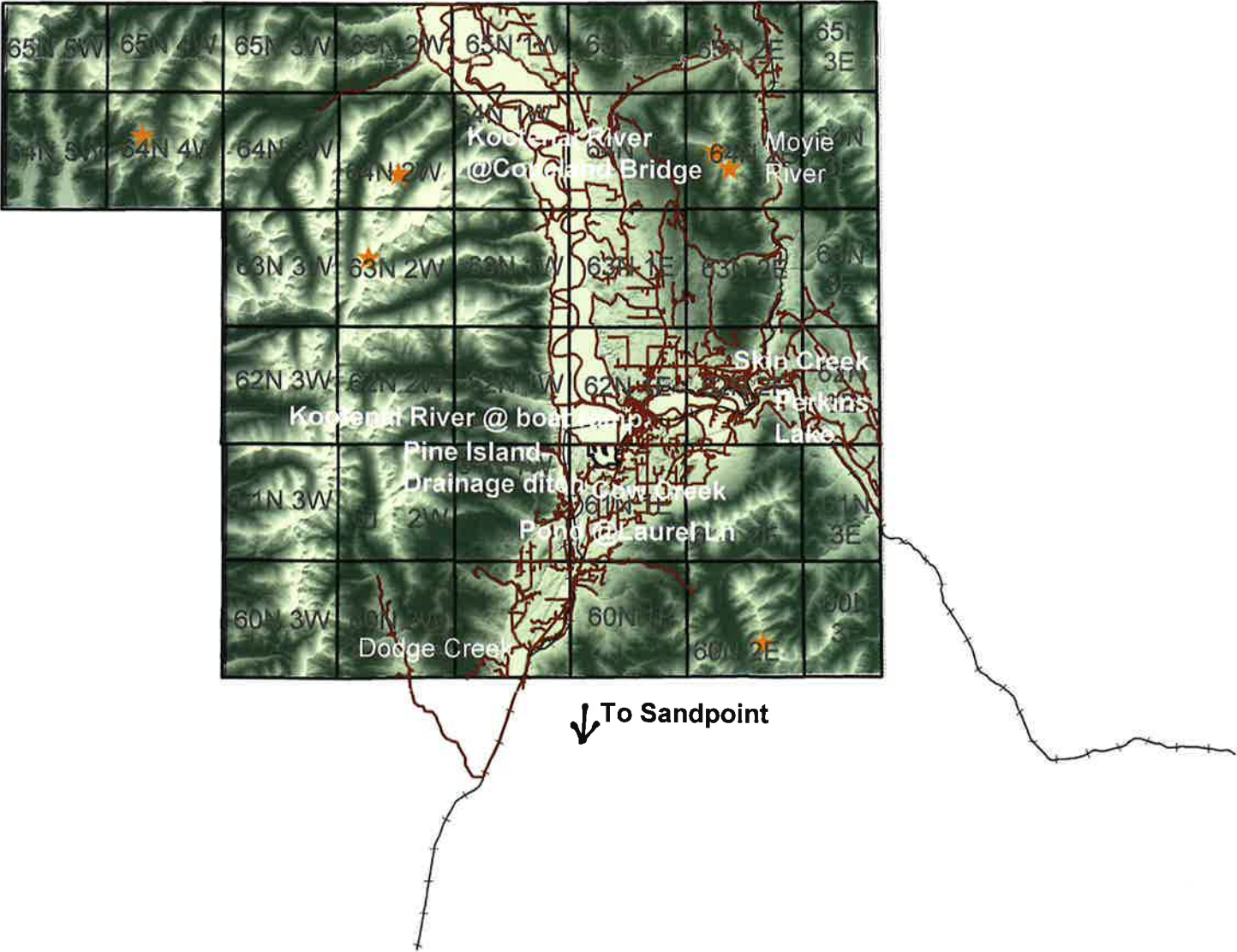
Co-Superintendents
 Title, if any

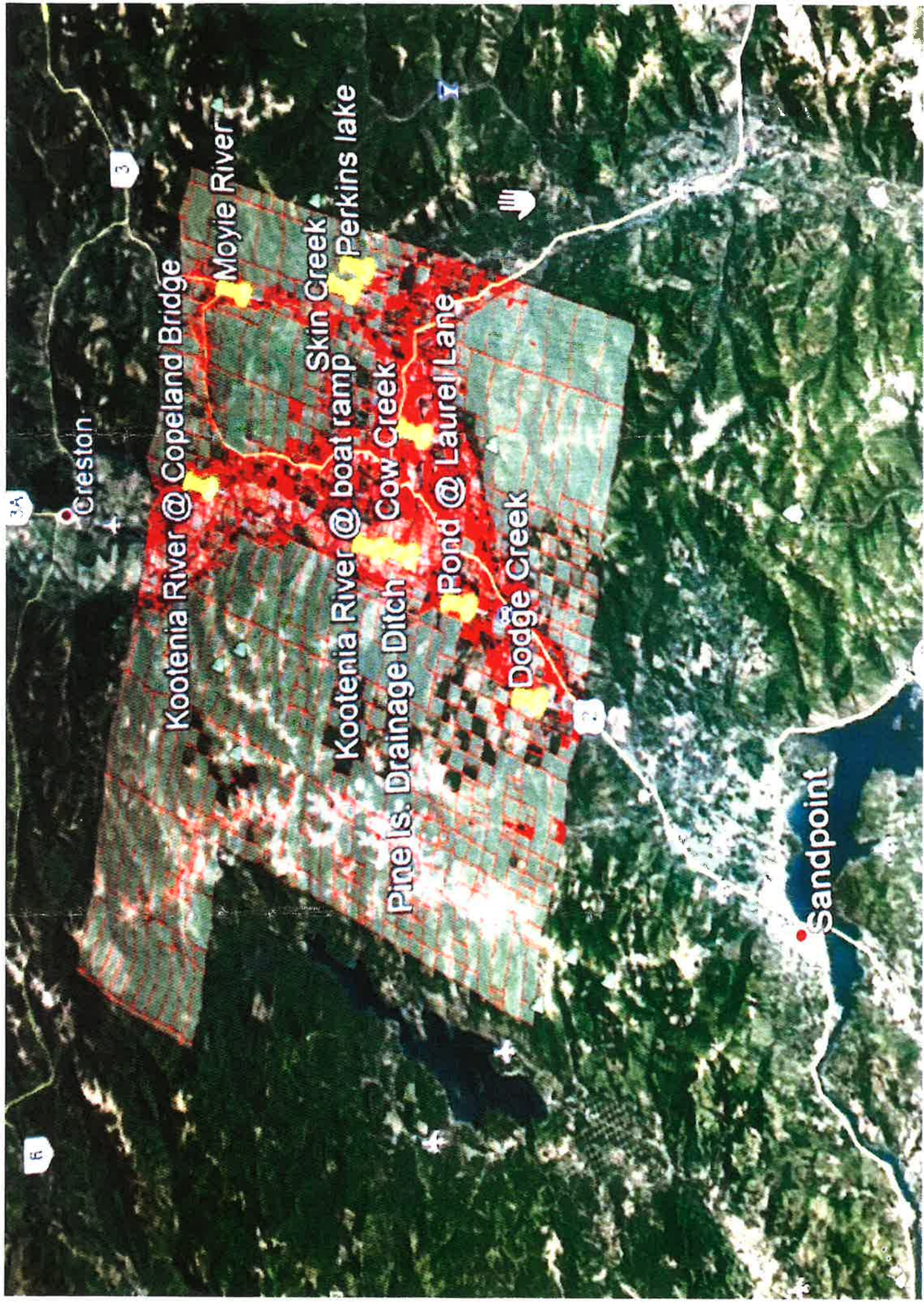
7/13/2020
 Date

Received by _____ Date _____ Time _____
 \$50.00 fee received by yes # N036265 Date 7-16-2020
 Watermaster comments received? _____ Date _____

Boundary County Road & Bridge 2020 Point of Diversion supplement										
TWP	RGE	SEC	GOVT	LOT	1/4	1/4	1/4	COUNTY	SOURCE	LOCAL NAME OR TAG#
60N	1W	27			SW	NW		Boundary	Dodge CK	
61N	1w	25			SW	NE		Boundary	Pond	
62N	1E	31			Sw	SE		Boundary	Drainage Ditch	
62N	2E	31			NW	SE		Boundary	Cow Creek	
63 N	3E	31			NW	NE		Boundary	Skin Creek	
64N	1W	12			SW	SE		Boundary	Kootenai River	
62N	1E	19			NW	SE		Boundary	Kootenai River	
64N	2E	14			NE	SW		Boundary	Moyie River	
64N	2E	14			NE	NE		Boundary	Perkins Lake	

Boundary County, Idaho Map-
Water to be applied to county roads for Maintenance and/or construction.





Kootenia River @ Copeland Bridge

Moyie River

Skin Creek

Perkins lake

Kootenia River @ boat ramp

Cow Creek

Pond @ Laurel Lane

Dodge Creek

Sandpoint

Creston

