

Received by HL Egle Date 8/12/05 Time 6:30 AM
 \$50.00 fee receipted by HL E # NO17102 Date 8-12-05
 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 3 AF and a maximum rate of diversion of .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 expires on 11/05/05.
 7. This approval does not create a continuing right to use water.
 8. 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 vaules.
 9. Other: 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.
 10. Contact the DEPARTMENT OF WATER RESOURCES prior to diversion of water from streams.

DATED this 18th day of August, 2005.

R. L. D. Haynes
 For the Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

09/14/2005

NATIVE AMERICAN SERVICE CORPS
PO BOX 489
SMELTERVILLE ID 83868

RE: Temporary Permit No. TP-94-43

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-94-43 .

Please be advised that THE PERMIT IS SUBJECT TO THE EFFECTIVE DATES AND CONDITIONS STATED ON PAGE TWO OF THE APPLICATION.

If you have any questions or if this office can be of further assistance, please contact us.

Sincerely,

Robert G. Haynes, P.E.
Regional Manager

Enclosure – Receipt No. N017102

Form 202a 11/99

Indent No. TP 94-43

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION

(5 AF of less)

Name of Applicant Native American Service Corp. Phone 208-783-0361

Address P.O. Box 489 Smelterville, Id. 83868

Source of water Canyon Creek S.F. C & A River Tributary to South Fork of the C & A River

2. Location of point of diversion SE 1/4 SW 1/4 Sec. 26 Township 78 N. Range 4 E B.M.,

County Shoshone County

3. Location of place of use 1/4 Sec. 26 Township 78 N. Range 4 E B.M.,

County Shoshone

4. Proposed use of water dust Abatement for Residential Remediation in Wallace Idaho

5. Amount of water:

Maximum rate of diversion 0.45 cfs or 200 gpm.

Maximum daily volume 0.37 AF; Total volume 3 AF.

6. Duration of diversion: From 8-17-05 to 11-5-05
Day-month Day-month

7. Proposed diverting works Pump in River

8. Who owns the property at the requested point of diversion? Asarco

9. Describe the arrangement allowing access to the water Easement

10. 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.

8-11-05
Date

[Signature]
Applicant

FAX 786-0506