



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 6, 2014

IDAHO TRANSPORTATION DEPARTMENT
600 W PRAIRIE AVE
COEUR D ALENE ID 83815-8764

RE: Temporary Permit No. TP-95-106

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-95-106.

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-95-106

APR 14 2014

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: Idaho Transportation Department Phone: 208-772-1200Address: 600 W. Prairie Ave., Coeur d'Alene, ID 83815-8764 Email: bill.capaul@itd.idaho.gov1. Source of water: Plummer Creek tributary to Cd'A Lake

2. Location of point(s) of diversion:

| TWP | RGE | SEC | GOVT LOT | ¼ | ¼ | ¼ | County | Source | Local name or tag # |
|-----|-----|-----|----------|----|----|----|---------|---------------|---------------------|
| 46N | 04W | 18 | | SW | NE | NE | BENEWAH | PLUMMER CREEK | PLUMMER CREEK |
| | | | | | | | | | |

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 | |
| 46N | 04W | 18 | X | X | X | X | | | | | | | | | | | | | 4 |
| | | | | | | | | | | | | | | | | | | | |

4. Describe proposed use of water Drilling Fluid for Foundation Investigation Drilling. Exploration of proposed bridge foundations for new bridge over Plummer Creek, St. Maries RR and UPRR. Usage based upon maximum 5250 gpd. 4 days per week. Water pumped directly to drill and recirculated within drill tanks or temporarily held in water tender.

5. Amount of water:

Maximum rate of diversion _____ cfs or 35 gpm.Maximum daily volume 0.012 AF; total volume 0.25 AF.6. Duration of diversion: from January 14, 2013 to December 31, 2013
Day-month 4/21/14 Day-month 2014 WAC7. Describe proposed diverting works: Portable pump or drill mounted pump with 0.25" screen and footvalve.8. a. Who owns the property at the requested point of diversion? St. Maries River RR with ITD easement on RR Propertyb. Who owns the land to be irrigated or place of use? St. Maries River RR, Union Pacific RR with ITD Easement

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

ITD maintains an easement across RR R/W9. Additional remarks: Administrative Basin 95; spill protection on-site; diversion pump only used during drilling hours Monday thru Thursday and removed overnight and on weekends.Drilling contacts: Bill Capaul, District Geologist 208-772-1211 or Dan Boston, Driller 208-772-1257.

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 Bill Capaul WACDate 12/26/2012 4/10/2014 WACReceived by db Date 4/14/14 Time _____\$50.00 fee receipted by S.O. InterAgcy # BILL 045601 Date 4/29/14

Watermaster Comments received? _____ Date _____

TP-95-106

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

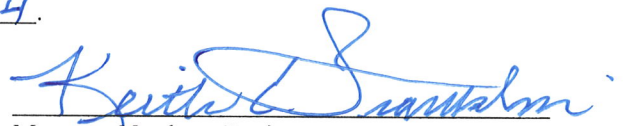
This is to certify that the department has examined this application for temporary approval to use water under the provisions of Section 42-202A, Idaho Code, and has determined that:

- ☐ 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 0.25 AF and a maximum rate of diversion of 0.08 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. This approval expires on Dec. 31, 2014.

Signed this 30 day of April, 2014.



Manager, Northern Region
For the Director



IDAHO TRANSPORTATION DEPARTMENT

600 W. Prairie Ave.
Coeur d'Alene, ID 83815-8764

(208) 772-1200
itd.idaho.gov

April 10, 2014

Mr. Keith Franklin
Department of Water Resources
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815

RECEIVED
APR 14 2014
IDWR / NORTH

RE: Basin 95 Temporary Appropriation Application

Dear Mr. Franklin;

Enclosed is the completed Form 202a, *Application for Temporary Approval of Water Appropriation*. The request is a second request for the taking of water from Plummer Creek approximately 0.5 miles east of US-95 along SH-5 where the highway crosses over Plummer Creek and the UPRR and St. Maries River RR. The purpose of the application is to provide drilling water during the foundation investigation of a proposed replacement bridge at this location.

Please provide interagency billing information to:

Jenny Klein, TRS
Idaho Transportation Department
600 W. Prairie Ave.
Coeur d'Alene, ID 83815-8764
208-772-1204
jenny.klein@itd.idaho.gov

Sincerely,

A handwritten signature in blue ink that reads "Bill".

Wm. Capaul, P.G.
District One - Geologist
Coeur d'Alene, ID 83815-8764
208.772.1211 voice
bill.capaul@itd.idaho.gov

Ball, Dianne

From: Ball, Dianne
Sent: Monday, April 14, 2014 11:12 AM
To: Sutcliffe, Lorna
Cc: Franklin, Keith
Subject: ITD Interagency Billing Request
Attachments: ITD_interagency_billing_request_4-14-14.pdf

Hi, Lorna,

We have another interagency billing request from ITD for a Temporary Water Right Appropriation.

The fee is \$50, and our PCA code for Permits is 65103.

Attached is a copy of ITD's letter requesting the interagency billing and a copy of their application for which this request is being made.

Contact person at ITD is in the letter.

If you have any questions, please give me a call or reply to this e-mail.

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 Fax 208-762-2819

Franklin, Keith

From: Franklin, Keith
Sent: Monday, April 14, 2014 3:10 PM
To: 'Terra Berns,Mary'
Subject: Application for Temporary Water Appropriation
Attachments: DOC005.pdf

Mary,

Attached please find an application to temporarily appropriate water from Plummer Creek for drilling purposes by the Idaho Department of Transportation for your review and comment. If you have any questions, feel free to give me a call.

Thanks.

Keith.



State of Idaho

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

April 14, 2014

MARY TERRA BERNIS
IDAHO DEPARTMENT OF FISH & GAME
2885 KATHLEEN AVE.
COEUR D'ALENE, ID 83815

Re: Application For a Temporary Approval of a Water Appropriation

Dear MARY:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding an application to temporarily appropriate 0.25 acre-feet of water from Plummer Creek, for drilling investigations, by the Idaho Transportation Department. A copy of the application is attached for your reference.

Would you please submit your comments no later than April 21, 2014? 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 may send comments by regular mail to the above address, by FAX to 208-762-2819 or by e-mail to keith.franklin@idwr.idaho.gov.

If you have any questions, don't hesitate to contact me at this office.

Thank you.

Sincerely,

Keith E Franklin
Program Manager, Northern Region

Encl/kf