



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 14, 2014

NORTH LATAH COUNTY HIGHWAY DIST
1132 WHITE AVE
MOSCOW ID 83843

RE: Temporary Permit No. TP-87-44

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-87-44.

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-87-44

RECEIVED
Form 202A 04/12
APR 30 2014

Basin 87

ID No. TP-87-44

IDWR / NORTH

STATE 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

Address: 1132 White Ave, Moscow, ID 83843 Email: nlchd@nlchd.com

1. Source of water: Palouse River/S. Fork Palouse River tributary to Palouse River/Snake River

2. Location of point(s) of diversion:

TWP	RGE	SEC	GOVT LOT	¼	¼	¼	County	Source	Local name or tag #
41N	5W	12		NE	NE		Latah	Palouse River	
39N	5W	21		NE	SE		Latah	S. Fork Palouse River	

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

5. Amount of water:

Maximum rate of diversion _____ cfs or 150 gpm.

Maximum daily volume 0.2 AF; total volume 4.0 AF.

6. Duration of diversion: from June 1 to October 1
Day-month Day-month

7. Describe proposed diverting works: trash pump

8. a. Who owns the property at the requested point of diversion? Public right-of-way

b. Who owns the land to be irrigated or place of use? public right-of-way

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

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] 04/28/2014
Signature of applicant Date

Received by [Signature] Date 4/30/14 Time _____
\$50.00 fee receipted by [Signature] # N030410 Date 4/30/14
Watermaster Comments received? _____ Date _____

TP-87-44

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 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 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 12-31, 2014.

Signed this 14 day of May, 2014.



Manager, Northern Region
For the Director



point of diversion

T41N R5W SEC 12



Point of Diversion

T 39 N R 5 W Sec 21



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

May 2, 2014
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 an application to temporarily appropriate a total of 4.0 acre-feet of water from the Palouse River system which are tributary to the Snake River, for yearly road construction water by North Latah County Highway District. A copy of the application is attached for your reference.

Would you please submit your comments no later than May 9, 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 address above, by FAX to 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

20



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

May 2, 2014

John Cardwell
Idaho Department of Environmental Quality
1118 F St.
Lewiston, ID 83501

Re: Application For a Temporary Approval of a Water Appropriation

Dear Mr. Cardwell:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding an application to temporarily appropriate a total of 4.0 acre-feet of water from the Palouse River system which are tributary to the Snake River, for yearly road construction water by North Latah County Highway District. A copy of the application is attached for your reference.

Would you please submit your comments no later than May 9, 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 address above, by FAX to 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,

A handwritten signature in dark ink, appearing to read 'Keith', written over a horizontal line.

Keith E. Franklin
Program Manager Northern Region

Encl/kf



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

May 2, 2014

Dan Carscallen
North Latah County Highway District
1132 White Ave.
Moscow, ID 83843

Re: Application For Temporary Water Appropriation

Dear Mr. Carscallen:

The Idaho Department of Water Resources is returning one of your recently submitted applications for corrections. The department needs to have one application filed since it is reviewed by other agencies. If you need more room to list additional points of diversion and sources, please attach a separate sheet to the application that lists all that's required by name, Section, Township, Range and Quarter Section, rather than multiple copies of the first page.

Please resubmit the application within the next 30 days so as not to further delay processing. You may also want to discuss the sources with Idaho Fish & Game. I know in the past there has been a problem with the time of year by which water can be diverted. If you have any questions, feel free to contact me at this office.

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 Northern Region

North Latah County Highway District

1132 White Avenue

Moscow, Idaho 83843

Deary Phone: (208) 877-1101

Fax: (208) 877-1298

Moscow Phone: (208) 882-7490

Fax: (208) 883-3926

nlchd@nlchd.com

Potlatch Phone: (208) 875-0717

Fax: (208) 875-8967

Idaho Dept of Water Resources
7600 N Mineral Drive
Suite 100
Coeur d'Alene, ID 83815

April 28, 2014

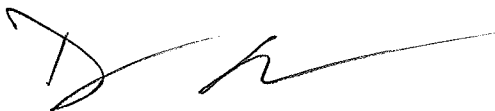
RECEIVED
APR 30 2014
IDWR / NORTH

Attached are our Applications for Temporary Approval of Water Appropriation for various points of diversion in Latah County.

I have one application for the Palouse River tributaries, and another for the Potlatch River tributaries. There are four points of diversion for the Potlatch River tributaries, so I attached "page 1" twice with the appropriate points of diversion listed.

Please let me know if this application will be sufficient or if I need to make further applications for the other points of diversion.

Thank you



Dan Carscallen. Clerk
North Latah County Highway District

Franklin, Keith

From: Franklin, Keith
Sent: Friday, May 02, 2014 9:48 AM
To: 'Hennekey,Ray'
Subject: Temporary Water Appropriation
Attachments: DOC003.pdf

Ray,
Attached is an application for a temporary water appropriation for your review and comment.
If you have any questions, feel free to give me a call.
Thanks.
Keith.

Franklin, Keith

From: Franklin, Keith
Sent: Friday, May 02, 2014 9:47 AM
To: 'John.Cardwell@deq.idaho.gov'
Subject: Temporary Water Appropriation
Attachments: DOC002.pdf

John,

Attached is an application for a temporary water appropriation for your review and comment.
If you have any questions, feel free to give me a call.

Thanks.

Keith



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
Curt Fransen, Director

May 5, 2014

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

RECEIVED
MAY - 6 2014
IDWR/NORTHERN

Subject: Application for Temporary Approval of Water Appropriation

Dear Mr. Franklin:

We received your request for our comments on the approval of an application from the North Latah Highway District for a temporary water appropriation from the South Fork Palouse River and Palouse River in Latah County. Assuming all federal, state and local permits have been obtained, regulations met, and reviews completed, we offer the following comments.

The South Fork Palouse River is currently listed in Category 4a of the Idaho 2010 Integrated Report as having a Total Maximum Daily Load (TMDL) allocation for bacteria, nutrients, temperature, and sediment pollutants. The TMDL is a pollution management plan that calculates the maximum amount of a pollutant allowed in the creek based on the volume or flow of water in the creek. Reduction in flow in the South Fork Palouse River can cause pollutant increases that exceed the total maximum daily load and Idaho water quality standards. Because the South Fork Palouse River has pollutant TMDLs, there is concern that there may not be sufficient flow during the diversion period of June 1 to October 1 to support the requested withdrawal. DEQ would like to suggest a location be considered in the South Fork Palouse River where flow is adequate to protect beneficial uses and conducted only when flows are significant enough to protect and maintain aquatic life during the requested withdrawal.

The Palouse River is currently listed in Category 3 of the Idaho 2010 Integrated Report and is not assessed. DEQ believes that flow in the Palouse River is significant enough that the beneficial uses should not be impacted by the temporary water appropriation. DEQ recommends that water bodies not be allowed to go dry as a result of legally appropriated and allowable water withdrawals.

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,

A handwritten signature in blue ink that reads "Cindy Barrett".

Cindy Barrett
Regional Water Quality Program Manager

cc: North Latah County Highway District, Moscow
Ray Hennekey, IDFG
John Cardwell, DEQ

Franklin, Keith

From: Hennekey, Ray [ray.hennekey@idfg.idaho.gov]
Sent: Monday, May 12, 2014 11:13 AM
To: Franklin, Keith
Cc: Cynthia.Barrett@deq.idaho.gov; Kiefer, Sharon; Cadwallader, Dave
Subject: RE: Temporary Water Appropriation

Keith –

IDFG has reviewed two recent temporary water right applications submitted to us for review:

- North Latah Highway District's request to withdraw up to 0.2 cfs per day from Palouse River and South Fork Palouse River, from June 1 to October 1, for dust abatement (#DOC003).
- Darryl Swanstrom's request to withdraw no more than 5 AF from existing ponds near Deary between 1 July and 31 October, 2014 for dust abatement (#DOC004).

IDFG does not anticipate that either of these requested withdrawals will adversely affect fish, wildlife or habitat.

Ray Hennekey

Environmental Staff Biologist
Idaho Department of Fish and Game
Clearwater Region
3316 16th Street
Lewiston, Idaho 83501

(208) 799-5010