



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

DARYL SWANSTROM
PO BOX 106
DEARY ID 83823

RE: Temporary Permit No. TP-86-47

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-86-47.

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-86-47

Form 802 MAY 07/13 2014

ID No. TP-86-47

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: DARYL SWANSTROM Phone: 404-307-3382 cell
 Mailing address: P.O. Box 106 (mail) 1181 S. Aron Rd (physical) City: DEARY
 State ID ZIP 83823 Email: DSWANSTROM@SPYRAFLO.CO
DSWANSTROM@MOSCOW.COM
 1. Source of water: PONDS tributary to _____

2. Location of point(s) of diversion:

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #
40N	02W	8		SWSW			LATAH	SNOW + RAIN RUNOFF	

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	
40N	02W	17														✓			

4. Describe proposed use of water RECONSTRUCTION DUST CONTROL

5. Amount of water:

Maximum rate of diversion _____ cfs or 20 gpm.Maximum daily volume _____ AF; total volume 5 AF.6. Duration of diversion: from 1 JULY (day-month) to 31 OCTOBER (day-month).7. Describe proposed diverting works: PUMP8. a. Who owns the property at the requested point of diversion? DARYL SWANSTROMb. Who owns the land to be irrigated or place of use? DARYL SWANSTROM

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

9. Additional remarks: TOURMALINE HABITATS RESTORATION PHASE I

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

Received by

Date

Time

\$50.00 fee received by

#

Date

Watermaster comments received?

Date

TP-86-47

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 5 AF and a maximum rate of diversion of 0.05 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



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

May 6, 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 5 acre-feet of water from unnamed ponds, for dust control purposes by Darl Swanstrom. A copy of the application is attached for your reference.

Would you please submit your comments no later than May 13, 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 black ink that reads "Keith E. Franklin". The signature is written in a cursive, flowing style.

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 6, 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 two applications to temporarily appropriate a total of 5 acre-feet of water from unnamed ponds for dust control purposes by Daryl Swanstrom. A copy of the application is attached for your reference.

Would you please submit your comments no later than May 13, 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 black ink that reads "Keith E. Franklin". The signature is written in a cursive, flowing style.

Keith E. Franklin
Program Manager, Northern Region

Encl/kf

Daryl Swanstrom and Tourmaline Habitats, LLC

P. O. Box 106 1181 South Avon Rd.
Deary, Idaho 83823
208-877-1421

2 May 2014

RECEIVED
MAY 05 2014
IDWR / NORTH

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

To Whom It May Concern:

Attached is my application for Temporary Approval of Water Appropriation. If there is anything that is not filled out correctly or needs further explanation, please call AND email. Probably my cell phone is best for the next two weeks. I will be back in Idaho 21 May 2013.

We plan to start the project about 1 July 2013 and finish this year.

Thank you for your consideration,



Daryl Swanstrom

Cell phone: 404-307-3382
Idaho house 208-877-1421
Office 800-487-7601 ext. 3100
Emails (please send message to both)
dswanstrom@spyraflo.com
dswanstrom@moscow.com

Enclosures:

Application for Temporary Approval of Water Appropriation
Check for \$50.

Franklin, Keith

From: Franklin, Keith
Sent: Tuesday, May 06, 2014 1:50 PM
To: 'Hennekey,Ray'
Subject: Temporary Water Appropriation
Attachments: DOC004.pdf

Ray,
Attached is an application for a temporary water appropriation for your review and comment.
If you have any questions, don't hesitate to give me a call.
Thanks.
Keith.

Franklin, Keith

From: Franklin, Keith
Sent: Tuesday, May 06, 2014 1:48 PM
To: 'John.Cardwell@deq.idaho.gov'
Subject: Temporary Water Appropriation
Attachments: DOC003.pdf

John,

Attached is an application for a temporary water appropriation for your review and comment. If you have any questions, don't hesitate 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 6, 2014

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

RECEIVED
MAY - 8 2014
IDWR/NORTHERN

Dear Mr. Franklin:

We received a request for our comments on an application for a temporary approval of water appropriation from ponds that have been constructed on private property. The ponds are supplied by intermittent unnamed streams and snow and rain runoff. The proposed use for the water is dust control. The total amount to be appropriated is 5.0 acre-feet from July 1 to October 31.

It is the policy of the State of Idaho, Ground Water Management Plan that existing and projected beneficial uses of ground water and interconnected surface water be maintained and protected and degradation that would impair beneficial uses of ground water and interconnected surface water not be allowed.

Based on the information that has been provided, DEQ believes this appropriation is not significant enough to impact ground water and interconnected surface water beneficial uses.

Thank you for requesting our review and comment.

Sincerely,

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

Cindy Barrett
Regional Water Quality Program Manager

cc: Daryl Swanstrom, Deary
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