

RECEIVED

Basin 86.

Form 202 MAY 13 7 2014

ID No. TP86-49

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: Knife River Corporation Att. Josh Smith Phone: 208-362-6152
 Mailing address: 5450 W. Gowen Road City: Boise
 State Idaho ZIP 83709 Email: jim.smith@kniferiver.com

1. Source of water: Clearwater River tributary to Snake River
 2. Location of point(s) of diversion:

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #
36N	04W	13			NW	NE	NezPerce	Clearwater River	Turkey Island
36N	03W	7					NezPerce	Clearwater River	Gibb's Eddy

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	
36N	04W	13	X	X															.04 AF

4. Describe proposed use of water Watering of aggregate stockpiles for dust abatement.
 5. Amount of water:
 Maximum rate of diversion _____ cfs or 15 gpm.
 Maximum daily volume .01 AF; total volume .04 AF.
 6. Duration of diversion: from June 10, 2014 (day-month) to July 30, 2014 (day-month).
 7. Describe proposed diverting works: portable gas pump
 8. a. Who owns the property at the requested point of diversion? Idaho Transportation Department
 b. Who owns the land to be irrigated or place of use? Idaho Transportation Department
 c. If the property is owned by a person other than the applicant, describe the arrangement allowing access to the water:
Knife River is contracted with ITD and is permitted to use ITD Right of Way and Maintenance Sites
 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.

Jim Smith
Signature of applicant

5-27-2014
Date

Received by ↓ Date 5/27/14 Time _____
 \$50.00 fee received by ↓ # N030473 Date 5/27/14
 Watermaster comments received? _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

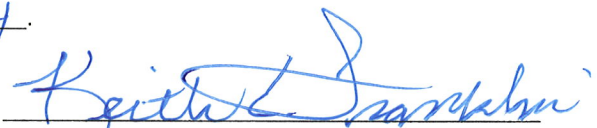
This is to certify that the department has examined this application for temporary approval to use water under the provisions of Section 42-202A, Idaho Code, and has determined that:

- ☐ 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 0.04 AF and a maximum rate of diversion of 0.03 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 8/30, 2014.

Signed this 5 day of June, 2014.



Manager, Northern Region
For the Director

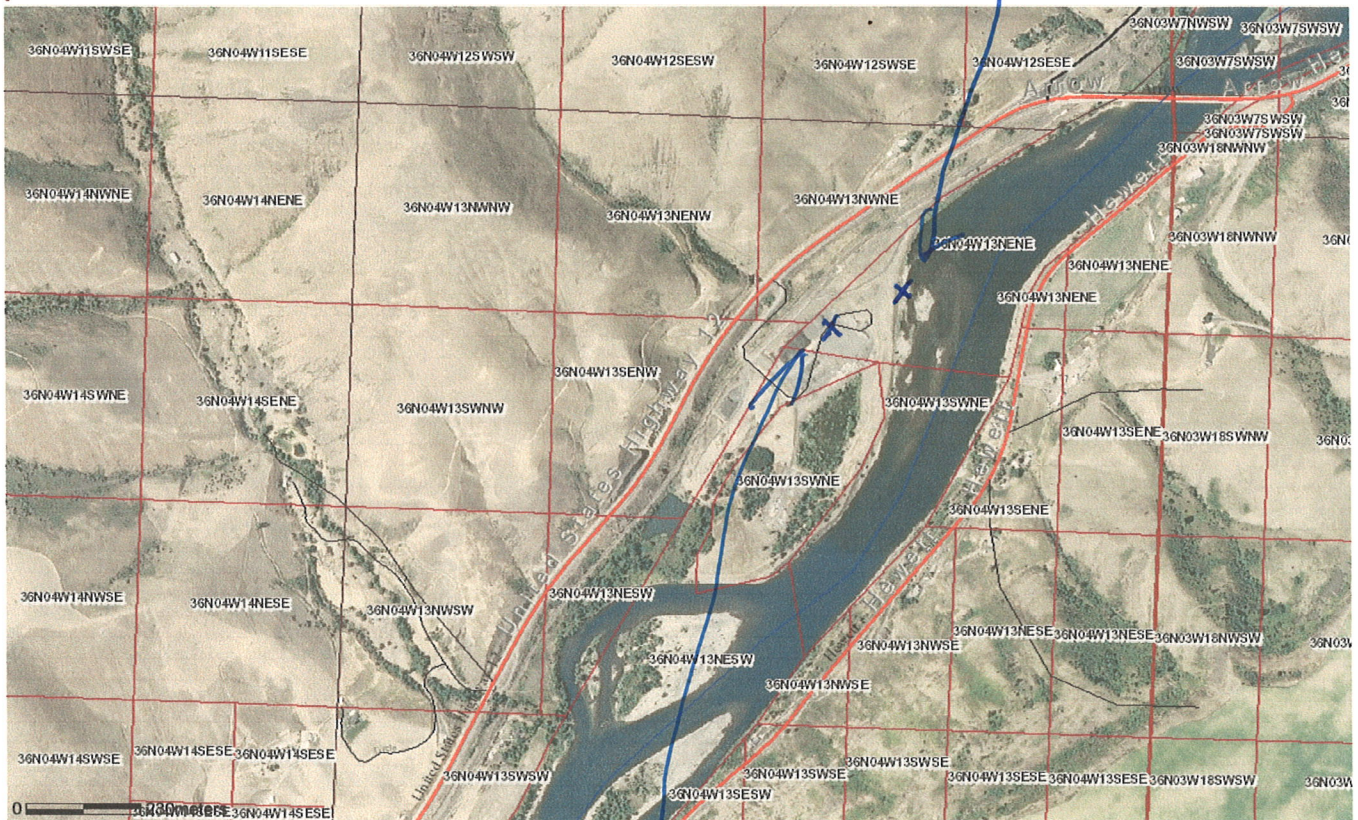


Turkey Island

Gibb's Eddy

[Handwritten signature]

diversion site #1

IDAHO Department of Water Resources
General Mapping Tool

Place of use

Turkey Island
I.T.O. maintenance
site



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

RECEIVED
MAY 30 2014
IDWR / NORTH

1118 F Street • Lewiston, Idaho 83501 • (208) 799-4370

C.L. "Butch" Otter, Governor
Curt Fransen, Director

May 29, 2014

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

Dear Mr. Franklin:

We received your letter requesting our comments on the approval of the temporary water right applications from the Knife River Corporation to draw a total of 0.06 acre-feet of water from the Clearwater River and South Fork Clearwater River for road construction activities. Assuming all federal, state and local permits have been obtained, regulations met, and reviews completed, we offer the following comments.

The section of the Clearwater River at the point of diversion at Turkey Island is included in water body ID 17060306CL002_07 and is currently listed in Category 5 of the Idaho 2010 Integrated Report as not supporting beneficial uses due to dissolved gas supersaturation. The Clearwater River is protected for cold water and salmonid spawning aquatic life, primary contact recreation, and domestic water supply beneficial uses. DEQ believes the flow in the Clearwater River at the point of diversion is significant enough that the beneficial uses should not be impacted by the temporary water appropriation.

Based on the information provided in the application, it is unclear whether Knife River's proposed withdrawal of .02 acre-feet of water is from the South Fork Clearwater River, or from Meadow Creek at the Meadow Creek Bridge. The section of the South Fork Clearwater River at the proposed point of diversion is included in water body ID 17060305CL012_05 and is currently listed in Category 4a of the Idaho 2010 Integrated Report as not supporting beneficial uses due to temperature and sediment. The South Fork Clearwater River is protected for cold water and salmonid spawning aquatic life and primary contact recreation beneficial uses. DEQ believes the flow in the South Fork Clearwater River at this point of diversion is significant enough that the beneficial uses should not be impacted by the temporary water appropriation.

The section of Meadow Creek at the Meadow Creek Bridge is included in water body ID 17060305CL080_03 and is currently listed in Category 4a of the Idaho 2010 Integrated Report as not supporting beneficial uses due to temperature impairment. Meadow Creek is protected for cold water and salmonid spawning and secondary contact recreation beneficial uses. DEQ believes the flow in Meadow Creek at this point of diversion is significant enough that the beneficial uses should not be impacted by the temporary water appropriation.

Mr. Franklin
May 29, 2014
Page 2

RECEIVED
MAY 30 2014
IDWR / NORTH

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,



Cindy Barrett
Regional Water Quality Program Manager

ec: Josh Smith, Knife River Corporation
John Cardwell, DEQ
Ray Hennekey, IDFG
TRIM

Franklin, Keith

From: Hennekey,Ray [ray.hennekey@idfg.idaho.gov]
Sent: Friday, May 30, 2014 11:07 AM
To: Franklin, Keith
Cc: Kiefer,Sharon; Cynthia.Barrett@deq.idaho.gov
Subject: RE: Temporary Water Appropriation

Keith --

I have reviewed the two applications from Knife River for temporary water appropriations from the Clearwater River at either Gibbs Eddy or Turkey Island and from the SF Clearwater near Mill Creek. IDFG does not anticipate that the requested withdrawals will have adverse impacts on fish, wildlife or habitat at any of the withdrawal sites identified.

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

(208) 799-5010

From: Franklin, Keith [<mailto:Keith.Franklin@idwr.idaho.gov>]
Sent: Wednesday, May 28, 2014 8:16 AM
To: Hennekey,Ray
Subject: Temporary Water Appropriation

Ray,
Attached for your review and comment are two applications to temporarily appropriate water from the Clearwater River and the South Fork of the Clearwater River for road construction purposes by Knife River Corp. If you have any questions, don't hesitate to give me call.
Thanks.
Keith.



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 28, 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 two applications to temporarily appropriate a total of 0.06 acre-feet of water from the Clearwater River and South Fork of the Clearwater River for road construction purposes by Knife River Corporation. Copies of the applications are attached for your reference.

Would you please submit your comments no later than June 4, 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



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 28, 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 0.06 acre-feet of water from the Clearwater River and South Fork of the Clearwater River for road construction purposes by Knife River Corporation. Copies of the applications are attached for your reference.

Would you please submit your comments no later than June 4, 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

Franklin, Keith

From: Franklin, Keith
Sent: Wednesday, May 28, 2014 8:13 AM
To: 'John.Cardwell@deq.idaho.gov'
Subject: Temporary Water Appropriation
Attachments: DOC.pdf

John,
Attached for your review and comment are two applications to temporarily appropriate water from the Clearwater River and the South Fork of Clearwater River for road construction purposes by Knife River Corp. If you have any questions, don't hesitate to give me a call.
Thanks.
Keith.

Franklin, Keith

From: Franklin, Keith
Sent: Wednesday, May 28, 2014 8:16 AM
To: 'Hennekey, Ray'
Subject: Temporary Water Appropriation
Attachments: DOC000.pdf

Ray,

Attached for your review and comment are two applications to temporarily appropriate water from the Clearwater River and the South Fork of the Clearwater River for road construction purposes by Knife River Corp. If you have any questions, don't hesitate to give me call.

Thanks.

Keith.