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Form 202A (07-13)
AUG 15 2014
DEPARTMENT OF
WATER RESOURCES

Print one-sided only

Basin 95

ID No. TP-95-109

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: NOBLE EXCAVATING INC. Phone: 406 293-8824
Mailing address: 108 JEFFERSON RD City: LIBBY
State MT ZIP 59923 Email: NOBLEEXC@Hotmail.com
1. Source of water: LAKE CDA tributary to SPOKANE 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 #
49N	3W	31	34	SW	SE		KOOTENAI	LAKE CDA Google Earth	CARLIN BAY

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	
49N	3W	529											1/4						

4. Describe proposed use of water: WATER IS TO BE USED FOR DUST CONTROL, DURING CONSTRUCTION ACTIVITIES, COMPACTION, and TESTING OF WWTP LAGOONS AND PIPING

5. Amount of water:

Maximum rate of diversion _____ cfs or 300 gpm.

Maximum daily volume 23 AF; total volume 5 AF.

6. Duration of diversion: from 8/4/14 (day-month) to 10/31/14 (day-month).

7. Describe proposed diverting works: Goodwin Pump and WATER TRUCK

8. a. Who owns the property at the requested point of diversion? CARLIN BAY PROPERTY OWNER ASSOCIATION

b. Who owns the land to be irrigated or place of use? CARLIN BAY PROPERTY OWNERS ASSOCIATIONS

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

N/A

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 of applicant

Date 7/31/2014

Received by: Natali Stracy Date: 8-1-14
\$50.00 fee received by: NO30633 Date: 8-1-14
Watermaster comments received? Date:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

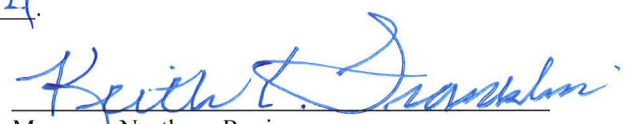
This is to certify that the department has examined this application for temporary approval to use water under the provisions of Section 42-202A, Idaho Code, and has determined that:

- ☐ 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 5 AF and a maximum rate of diversion of 0.67 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 person in Coeur d'Alene is Mary Terra-Berns @ 208-769-1414, and in Lewiston is Ray Hennekey @ 208-799-5010.
 10. This approval expires on 12/31, 2014.

Signed this 12 day of August, 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

August 1, 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 approximately 5.0 acre-feet of water from Coeur d'Alene Lake for road construction purposes, by Noble Excavation, Inc. A copy of the application is attached for your reference.

Would you please submit your comments no later than August 8, 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 blue ink that reads "Keith".

Keith E. Franklin
Water Resources Agent

Encl/kf

*No comments received
as of 8/14/14 KJ*

Franklin, Keith

From: Franklin, Keith
Sent: Friday, August 01, 2014 1:26 PM
To: 'Terra Berns,Mary'
Subject: Temporary Water Appropriation
Attachments: DOC000.pdf

Mary,
Attached for your review and comment is an application to temporarily appropriate water from Lake Coeur d'Alene for a road construction project by Noble Excavation, Inc. If you have any questions, don't hesitate to give me a call.
Thanks.
Keith