



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

January 28, 2014

NORTH IDAHO HYDROSEEDING INC
978 W HAYDEN AVE
HAYDEN ID 83835

RE: Temporary Permit No. TP-95-102

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-95-102.

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. IDFG contact person is Mary Terra-Berns at 208-769-1414.

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-95-102

RECEIVED

Basin 95

JAN 07 2014

Form 202a 11/99

Indent. No. TP-95-102

IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION

(5 AF of less)

Name of Applicant North Idaho Hydroseeding Inc. Phone (208) 772-9936 FAX (208) 772-0775
 Address 978 W. Hayden Ave Hayden, Idaho 83835

- Source of water _____ Tributary to _____
- Location of point of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ Sec. _____ Township _____, Range _____ B.M.,
County _____ (See attached page)
- Location of place of use _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ Sec. _____ Township _____, Range _____ B.M.,
County _____
- Proposed use of water to fill hydroseeders T-120 or T-90 Finn Hydroseeders (1200 or 900 gallons)

5. Amount of water:

Maximum rate of diversion _____ cfs or 100 gpm.Maximum daily volume 10,000 gallons/Day AF; Total volume 5 AF.

- Duration of diversion: From 2/1/14 to 12/30/14
Day-month Day-month

- Proposed diverting works None
- Who owns the property at the requested point of diversion? See Attached sheets

- Describe the arrangement allowing access to the water See Attached Sheets
5 horsepower portable pump with 50-100 ft fill hose back to hydroseeder at roadside

- Remarks The Majority of our work necessary to fill our hydroseeders is to perform reclamation seeding and Erosion Control for various Highway Districts, Avista Utilities, Kootenai Electric Co. ect...

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.

1/7/14
Date

Brent J. Leonard
Applicant
President

North Idaho Hydroseeding Inc.

TP-95-102

Received by [Signature] Date 1/7/14 Time _____
\$50.00 fee received by [Signature] # N030257 Date 1/7/14
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 0.22 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 expires on 12/31/14.
 7. This approval does not create a continuing right to use water.
 8. 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.
 9. Other: 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.
 10. Contact the DEPARTMENT OF WATER RESOURCES prior to diversion of water from streams.

DATED this 28 day of January, 2014.

[Signature]
For the Director

LOCATION OF POINTS OF DIVERSION (FISH SPOTS)

TP-95-102

1. **Twin Lakes Par 3 Golf Course Rd.** Map 48
SW 1/4, NE 1/4, T52N, R4W, Sec 8, Kootenai County
2. **Twin Lakes Drainage Creek Off Gunnings Rd.** Map 56
SW 1/4, NW 1/4, T52N, R4W, Sec 17, Kootenai County
3. **Creek off N. Rimrock Rd., S. Of Ohio Match Rd.** Map 58
NW 1/4, NE 1/4, T52 N, R3W, Sec 20, Kootenai County
4. **Hayden Lake Sportsmen's Access Boat Launch** Map 67
SW 1/4, NW 1/4, T52N, R3W, Sec 34, Kootenai County
5. **Hayden Lake Mokins Bay Culvert** Map 75
SW 1/4, NE 1/4, T51N, R3W, Sec 11, Kootenai County
6. **Coeur d'Alene Lake Wolf Lodge Bay** Map 128
NE 1/4, SW 1/4, T49N, R3W, Sec 1, Kootenai County
7. **Coeur d'Alene Lake, Carlin Bay Culvert** Map 158
NW 1/4, NE 1/4, T48N, R3W, Sec 6, Kootenai County
8. **Private Pond off E. EastPort Road** Map 180
SE 1/4, SE 1/4, T48N, R4W, Sec 22, Kootenai County
9. **Medicine Lake** Map 183
NW 1/4, NW 1/4, T48N, R2W, Sec 34, Shoshone County
10. **Coeur d'Alene Lake, Kid Island Bay** Map 117
NW 1/4, SW 1/4, T50N, R4W, Sec 35, Kootenai County
11. **Coeur d'Alene Lake, Mica Bay** Map 126
NE 1/4, SE 1/4, T49N, R4W, Sec 10, Kootenai County
12. **Coeur d'Alene Lake, Mica Bay S. Goulds Landing Rd.** Map 126
NW 1/4, SW 1/4, T49 N, R4W, Sec 11, Kootenai County
13. **Coeur d'Alene Lake, Black Rock Bay** Map 157
SW 1/4, NW 1/4, T48N, R4W, Sec 10, Kootenai County
14. **Coeur d'Alene Lake, Rockford Bay Creek Bridge** Map 168
SW 1/4, NE 1/4, T48 N, R4W, Sec 18, Kootenai County
15. **Lake Creek Off W. Ford Rd.** Map 166
NW 1/4, SW1/4, T48N, R5W, Sec 21, Kootenai County
16. **Coeur d'Alene Lake, East of Carey Bay** Map 202
NE 1/4, SW 1/4, T47N, R3W, Sec 19, Kootenai County

TP-95-102

Question 9

Verbal Permission Given by:

Property Owner

Frank Boss (208) 699-3945

(Point of Diversion No. 8)

Bureau of Land Management

Brian White (208) 769-5031

(Point of Diversion No. 6)

East Side Highway District

Tom Christianson (208) 660-2424

(Harrison (208) 689-3418)

(Points of Diversion No. 7, 8, & 9)

Lakes Highway District

Joe Wiest (208) 772-7527

(Points of Diversion No. 1, 2, 3, 4, & 5)

Worley Highway District

Kevin Howard (208) 664-0483

(Points of Diversion No. 10, 11, 12, 13, 14, 15 & 16)

Question 8 (For Location of Points of Diversion see following page)

TP-95-102

Property Owner

Frank Boss (208) 699-3945

619 S. 9th St.

Coeur d'Alene ID 83814

(Point of Diversion No. 8)

Bureau of Land Management

Brian White (208) 769-5031

3815 N. Schrieber Way

Coeur d'Alene ID 83815

(Point of Diversion No. 6)

East Side Highway District

Tom Christianson (208) 660-2424

(Harrison (208) 689-3418)

6095 Mullan Trail Rd.

Coeur d'Alene ID 83814

(Points of Diversion No. 7, 8, & 9)

Lakes Highway District

Joe Wiest (208) 772-7527

P. O. Box 460

Hayden ID 83835

(Points of Diversion No. 1, 2, 3, 4, & 5)

Worley Highway District

Kevin Howard (208) 664-0483

6887 W. Kidd Island Rd.

Coeur d'Alene ID 83814

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

January 17, 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 5.0 acre-feet of water from various sources for hydro-seeding purposes, by North Idaho Hydroseeding, Inc. Essentially this is a renewal of applications that have been approved in past years. A copy of the application is attached for your reference.

Would you please submit your comments no later than January 24, 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

Franklin, Keith

From: Franklin, Keith
Sent: Friday, January 17, 2014 10:07 AM
To: 'Terra Berns,Mary'
Subject: Temporary Water Appropriation Application
Attachments: DOC009.pdf

Mary,
Attached for your review and comment is an application to temporarily appropriate water for hydro-seeding. If you have any questions, don't hesitate to give me a call.
Thanks.
Keith.