



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](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

06/24/2013

KNIFE RIVER  
5450 W GOWEN RD  
BOISE ID 83709

RE: Temporary Permit No. TP-81-09

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-81-09.

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 in Lewiston is Ray Hennekey at 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".

Keith E. Franklin  
Program Manager

Enclosure Copy of TP-81-09

RECEIVED

Basin 8

JUN 12 2013

IDWR / NORTH

Form 202A 04/12

ID No. TP-81-09STATE 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 Phone: 208-362-6152  
 Address: 5450 W Bowen Rd. Boise Id. Email: jim.smith@kniferiver.com  
 1. Source of water: Bald Mt. Creek tributary to Loesha 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 #
35N	10E	8SW SE			SW	SE	Idaho	Bald Mt Creek	

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	
35N	10E	8SW SE																	

4. Describe proposed use of water: Pre-wet chips before seal coating a portion U.S. 12

5. Amount of water:

Maximum rate of diversion \_\_\_\_\_ cfs or 15 gpm.Maximum daily volume 1500 gal/day; total volume 4500 gal/day6. Duration of diversion: from July 5, 2013 to July 31, 2013  
Day-month Day-month7. Describe proposed diverting works: small gas powered water pump8. a. Who owns the property at the requested point of diversion? Idaho Trans. Dept.b. Who owns the land to be irrigated or place of use? Idaho Trans. Dept.

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

ITD. maintenance site project is ITD, contract9. Additional remarks: Actual 3-4 days of diversion will be dependent on weather.

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 6-12-13

Received by [Signature] Date 6/12/13 Time \_\_\_\_\_  
 \$50.00 fee receipted by [Signature] # N029923 Date 6/12/13  
 Watermaster Comments received? \_\_\_\_\_ Date \_\_\_\_\_

ID No. TP-81-09

## 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:

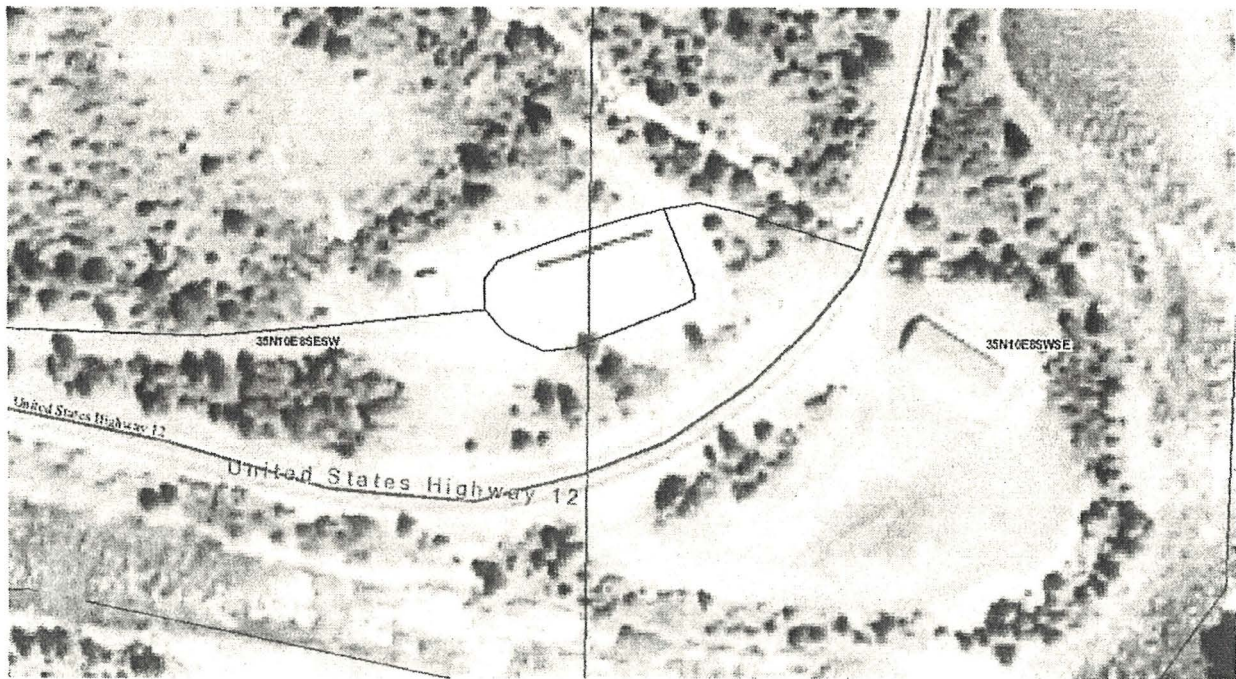
- ☐ A. DENIED
- ☒ B. APPROVED, subject to the following conditions:
1. Diversion and use of water under this approval is subject to all valid existing water rights.
  2. The applicant assumes all risk the use of the water under this approval may injure other water rights.
  3. This approval authorizes a maximum diversion of 0.02 AF and a maximum rate of diversion of 0.033 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. 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.
  9. This approval expires on Aug. 1, 2013.
- Signed this 31 day of June, 2013.

  
For the Director



TP-81-09

Page 1 of 1





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**C. L. "BUTCH" OTTER**  
Governor

**GARY SPACKMAN**  
Interim Director

June 13, 2013

RAY HENNEKEY  
IDAHO DEPARTMENT OF FISH & GAME  
3316 16<sup>TH</sup> 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 0.02 acre-feet of water from Bald Mountain Creek which is tributary the Lochsa River, for road construction water by Knife River. A copy of the application is attached for your reference.

Would you please submit your comments no later than June 20, 2013? 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](mailto: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

*No comments received as of 6/21/13. Kd*



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**C. L. "BUTCH" OTTER**  
Governor

**GARY SPACKMAN**  
Interim Director

June 13, 2013

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 0.02 acre-feet of water from Bald Mountain Creek which is tributary to the Lochsa River, for road construction water by Knife River. A copy of the application is attached for your reference.

Would you please submit your comments no later than June 20, 2013? 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](mailto: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 E. Franklin". The signature is written in a cursive, flowing style.

Keith E. Franklin  
Program Manager Northern Region

Encl/kf

## Franklin, Keith

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**From:** Franklin, Keith  
**Sent:** Thursday, June 13, 2013 1:33 PM  
**To:** 'Hennekey, Ray'  
**Subject:** Temporary Water Appropriation Knife River  
**Attachments:** DOC.pdf

Ray,

Attached for your review and comment is an application for a temporary water appropriation from Balk Mountain Creek for road construction water by Knife River. If you have any questions, don't hesitate to give me a call.

Thanks.

Keith

## Franklin, Keith

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**From:** Franklin, Keith  
**Sent:** Thursday, June 13, 2013 1:39 PM  
**To:** 'john.cardwell@deq.idaho.gov'  
**Subject:** Application For Temporary Water Appropriation Knife River  
**Attachments:** DOC000.pdf

John,

Attached for your review and comment is an application for a temporary water appropriation for road construction water by Knife River from Bald Mountain Creek. If you have any questions, feel free to call.

Thank You.

Keith Franklin

Program Manager, Northern Region





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

June 14, 2013

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

RECEIVED  
JUN 17 2013  
IDWR/NORTHERN

Dear Mr. Franklin:

We received your letter requesting our comments on the approval of a temporary water appropriation application from Knife River to draw a total of 0.02 acre feet, 1500 gallons total volume of water from Bald Mountain Creek, a tributary to the Lochsa River. The water will be diverted with a small gas powered water pump and applied in road construction activities over a three to four day period.

In the Idaho Water Quality Standards, Bald Mountain Creek is included in water body ID 17060303CL051\_03. Bald Mountain Creek is protected for cold water aquatic life and secondary contact recreation beneficial uses. This water body ID is currently listed in Section 2 of the Idaho 2010 Integrated Report as fully supporting the beneficial uses. Assuming all federal, state and local permits have been obtained, regulations met, and reviews completed, DEQ believes the flow in Bald Mountain Creek, is significant enough that the beneficial uses should not be impacted by the temporary water appropriation.

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 "John Cardwell".

John Cardwell  
Regional Water Quality Program Manager

c: Clayton Steele, DEQ  
Jim Smith, Knife River  
Ray Hennekey, IDFG