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MAY 20 2013

Form 202a 10/07

IDWR / NORTH

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Indent. No. TP-85-35

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JUN 07 2013

DEPARTMENT OF  
WATER RESOURCES

APPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION  
(5 AF or less)

Name of Applicant Nez Perce County Road and Bridge Phone (208)799-3060Address 0105 33rd St., Lewiston, ID 83501 Email robinpaasch@co.nezperce.id.us

- Source of water CLEARWATER RIVER @ SPALDING Tributary to SNAKE RIVER
- Location of point of diversion SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  Sec. 20 Township 36N, Range 4W B.M.,  
County NEZ PERCE
- Location of place of use VARIOUS  $\frac{1}{4}$  Sec. \_\_\_\_\_ Township \_\_\_\_\_, Range \_\_\_\_\_ B.M.,  
County NEZ PERCE
- Proposed use of water DUST CONTROL, CONSTRUCTION, SURFACE STABILIZATION  
WITHIN COUNTY BOUNDARIES.
- Amount of water: 50,000 GALLONS  
Maximum rate of diversion 2 cfs or 90 gpm.  
Maximum daily volume \_\_\_\_\_ AF; Total volume 5 AF.
- Duration of diversion: From April 1, 2013 to December 31, 2013  
Day-month Day-month
- Proposed diverting works N/A
- Who owns the property at the requested point of diversion? STATE OF IDAHO
- Describe the arrangement allowing access to the water BOAT RAMP
- Remarks BOAT RAMP USAGE ARRANGED WITH FISH & GAME

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.

March 25, 2013  
Date

Applicant MARK RIDINGER, DIRECTOR

Received by db Date 5/20/13 Time \_\_\_\_\_  
\$50.00 fee receipted by db # N029854 Date 5/20/13  
Watermaster Comments received? \_\_\_\_\_

\$ 50.00

**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 0.7 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 12/31/13.

Signed this 30 day of May, 2013.

Keith E. Sorenson  
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](http://www.idwr.idaho.gov)

06/04/2013

C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

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DEPARTMENT OF  
WATER RESOURCES

NEZ PERCE COUNTY ROAD & BRIDGE  
ATTN: ROBIN PAASCH  
0105 33<sup>RD</sup> ST  
LEWISTON ID 83501

RE: Temporary Permit No. TP-85-35 and TP-86-46

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-85-35 and TP-86-46.

Please be advised that THE PERMIT IS SUBJECT TO THE EFFECTIVE DATES AND CONDITIONS STATED ON PAGE TWO OF THE APPLICATION.

The 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 Ray Hennekey at 208-799-5010.

If you have any questions or if this office can be of further assistance, please contact us.

Sincerely,

Keith E. Franklin  
Program Manager

Enclosure Copy of TP-85-35 and TP-86-46  
Receipt No. N029854





**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

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

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

**GARY SPACKMAN**  
Interim Director

May 21, 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 5.03 acre-feet of water from the Clearwater River for road construction purposes by the Nez Perce County Road & Bridge Department. Copies of the applications are attached for your reference. Essentially, these are renewals from what has been permitted in the last few years.

Would you please submit your comments no later than May 28, 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

## Franklin, Keith

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**From:** Franklin, Keith  
**Sent:** Monday, May 20, 2013 4:00 PM  
**To:** 'john.cardwell@deq.idaho.gov'  
**Attachments:** DOC000.pdf; DOC.pdf

Mr. Cardwell,

Attached are two applications to temporarily appropriate water from the Clearwater River for road construction purposes by the Nez Perce County Road and Bridge for your review and comment.

Thanks.

Keith Franklin

Program Manager

## Franklin, Keith

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**From:** Franklin, Keith  
**Sent:** Monday, May 20, 2013 4:02 PM  
**To:** 'Hennekey, Ray'  
**Attachments:** DOC.pdf; DOC001.pdf

Ray,

Attached are two applications to temporarily appropriate water from the Clearwater River for road construction purposes by the Nez Perce County Road and Bridge Department for your review and comment.

Thanks.

Keith



STATE OF IDAHO  
DEPARTMENT OF  
ENVIRONMENTAL QUALITY

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

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

May 21, 2012

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

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MAY 22 2013  
IDWR/NORTHERN

Dear Mr. Franklin:

We received your letter requesting our comments on the approval of the 2013 temporary water appropriation application from the Nez Perce County Road and Bridge Department to draw a total of 0.03 acre-feet of water from the Clearwater River from April 1 to December 31, 2013. The point of diversion will be at the Spalding boat ramp. The application is a renewal that has been issued in past years for road construction activities.

In the Idaho Water Quality Standards, the section of the Clearwater River at Spalding is included in water body ID 17060306CL002\_07. This water body ID is currently listed in Section 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. Assuming all federal, state and local permits have been obtained, regulations met, and reviews completed, DEQ believes the Clearwater River flow in this section 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 black ink, appearing to read "John Cardwell".

John Cardwell  
Surface Water Manager

c: Clayton Steele, DEQ  
Mark Ridinger, Nez Perce County Road and Bridge Department  
Ray Hennekey, IDFG