

TP-27-95

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 22 2013

**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.)Department of Water Resources  
Eastern RegionName of applicant: Gordon Levin (ARCADIS US, Inc.) Phone: 406-949-1777Address: 1610 B Street, Helena, MT 59601 Email: gordon.levin@arcadis-us.c1. Source of water: Slug Creek tributary to Blackfoot River

2. Location of point(s) of diversion:

TWP	RGE	SEC	GOVT LOT	¼	¼	¼	County	Source	Local name or tag #
9 S	44 E	27		NW	NE	NW	Caribou	Slug 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	
9 S	44 E																		

4. Describe proposed use of water Water to assist in the drilling of 11 groundwater monitoring wells at the nearby Mountain Fuel Mine Site; locations on sections 13, 14, 23, and 24. Withdraw up to 2000 gallons per day X 20 days per month X five months = 200,000 gallons of water.

5. Amount of water:

Maximum rate of diversion \_\_\_\_\_ cfs or ~100 gpm.Maximum daily volume 0.006 AF; total volume 0.61 AF.6. Duration of diversion: from 10 - June to 25 - October  
Day-month Day-month7. Describe proposed diverting works: Water truck will pump from culvert near to road.8. a. Who owns the property at the requested point of diversion? United States Department of Agriculture, Forest Serviceb. Who owns the land to be irrigated or place of use? United States Department of Agriculture, Forest Service

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

9. Additional remarks: This appropriation is for June 10 to October 25, of 2013 only. Not for a continuing use.**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 [Signature]

Date

4/18/13Received by M HOLLIDAY Date 4/22/2013

Time

\$50.00 fee receipted by K Jones # E038618

Date

4/22/2013Watermaster Comments received? YES

Date

5/7/2013

**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 0.61 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 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 vaules.
  8. Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  9. This approval expires on OCTOBER 25, 2013.

Signed this 7th day of May, 2013.

Lyle Swank  
For the Director



Idaho Department of Water Resources  
900 North Skyline Drive STE A  
Idaho Falls, ID 83402-1718  
208-525-7161

Subject:

Application for Temporary Approval of Water Appropriation  
From Slug Creek for Use in Assisting Well Drilling  
At The Mountain Fuel Mine Site

Greetings:

ARCADIS US Inc. is installing groundwater monitoring wells at the Mountain Fuel Mine on behalf of Nu-West Industries, Inc./Nu-West Mining, Inc. as part of a Remedial Investigation Feasibility Study (RI/FS), being administered by the U.S. Department of Agriculture (USDA) Forest Service (Forest Service), Caribou-Targhee National Forest, as lead agency overseeing the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) investigations and cleanup actions at the Mountain Fuel Mine. The Mountain Fuel mine is located in Upper Dry Valley, approximately 16 miles northeast of Soda Springs, Idaho. The Mountain Fuel Mine is located on Federal Lease I-012989. This lease includes approximately 1,120 acres and is located in Sections 14, 15, 23-16, Township 9S, Range 44E in Caribou County, Idaho.

Figure 1 illustrates the proposed locations for 22 groundwater monitoring wells. The 11 Alluvial wells labeled MWA-1 thru MWA-11 will not require water for drilling.

The remaining 11 wells target aquifers within bedrock formations. They will require 2000 gallons of water or less per day to assist in the drilling process. Drilling will take place 20 days per month from June 10 to October 25, 2013.

We are requesting a temporary appropriation of water from Slug Creek for use to assist in the well drilling process not to exceed 0.61 acre-feet, and only for 2013.

Please find enclosed payment of \$50 for a Permit Application.

Sincerely,

ARCADIS U.S., Inc.

Gordon Levin  
Hydrogeologist

RECEIVED

APR 22 2013

Department of Water Resources  
Eastern Region

ARCADIS U.S., Inc.  
1610 B Street  
Suite 100  
Helena  
Montana 59601  
Tel 406 449 7001  
Fax 406 449 3063  
[www.arcadis-us.com](http://www.arcadis-us.com)

Environment

Date:

April 19, 2013

Contact:

Gordon Levin

Phone:

406-949-1777

Email:

[Gordon.levin@arcadis-us.com](mailto:Gordon.levin@arcadis-us.com)

Our ref:

CO001702.0004

Imagine the result



## State of Idaho

### DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

April 22, 2013

Water District 27  
Lyle Swank  
900 N Skyline Dr Ste A  
Idaho Falls ID 83402

RE: Application for Temporary Approval of Water Appropriation TP-27-95

Dear Watermaster:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form and return to me as soon as possible.

Please contact this office if you have any questions regarding this application.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Holliday', written over a horizontal line.

Michael Holliday  
Water Rights Supervisor

Enclosure(s)

RECEIVED

MAY 07 2013

Department of Water Resources

Department of Water Resources  
Eastern Region

## RECOMMENDATION OF WATERMASTER

Application for Temporary Approval of Water Appropriation  
TP-27-95  
Caribou County

Watermaster's Recommendation:

- a) ✓ I do not oppose approval of this application.  
b)        I do not oppose approval of this application if it is conditioned as follows:

c)        I oppose approval of this application for the following reasons:

d)        Additional Comment:

Dated this 7th day of May, 20 13.

Water District No: 27

Lyle Swank

Watermaster's Signature



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

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C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

May 7, 2013

GORDON LEVIN  
1610 B ST  
HELENA MT 59601

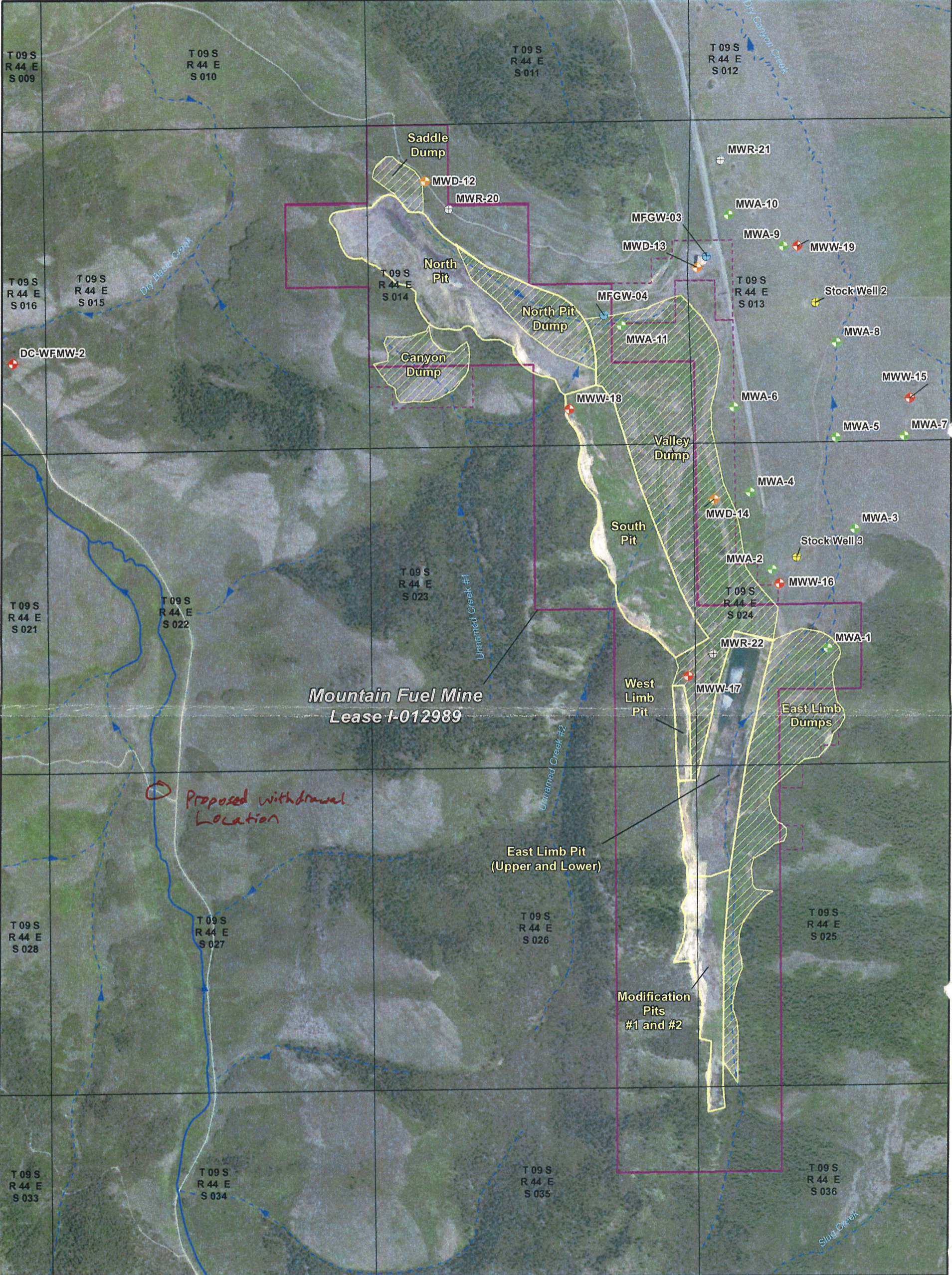
**Applicant:**

Enclosed is your copy of approved Temporary Permit TP-27-95. Please take note of the effective dates on line 6 and the conditions on the back.

Sincerely,

Michael Holliday  
Water Rights Supervisor

Enclosure



**Legend**

	DUMPS		PITS
	LEASE BOUNDARY		SPECIAL USE PERMIT BOUNDARY
	PERENNIAL STREAM		INTERMITTENT/EPHEMERAL STREAM

	IDWR PERMITTED WELL		PROPOSED DIRECT PUSH ALLUVIAL/COLLUVIAL MICROWELL
	DINWOODY FORMATION MONITORING WELL		REX CHERT MONITORING WELL
	WELLS FORMATION MONITORING WELL		STOCK WELL

NOTES:

1. IDWR = IDAHO DEPARTMENT OF WATER RESOURCES
2. LOCATIONS OF PROPOSED BOREHOLES AND MORNITORING WELLS ARE ACCORDING TO CH2MHILL, 2012.
3. STREAM SOURCE: NATIONAL HYDROGRAPHY DATASET, 2012.
4. AERIAL SOURCE: NAIP, 2011.

0 750 1,500  
Feet

N

NU-WEST INDUSTRIES, INC.  
MOUNTAIN FUEL MINE SITE  
CARIBOU COUNTY, IDAHO

**PROPOSED MONITORING WELL LOCATIONS**

FIGURE 1