



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

05/23/2013

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

YELLOWSTONE PIPE LINE COMPANY
FRAN E NUNN
2626 LILLIAN AVE
BILLINGS MT 59101

RE: Temporary Permit No. TP-94-134

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-94-134.

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 @ 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 Receipt No. N029823
and Copy of TP-94-134

RECEIVED

Basin 94

Form 202A 04/12

MAY 06 2013

ID No.

TP-94-134

IDWR / NORTH

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: Yellowstone Pipe Line Company - Fran Nunn, Env. Coordinator Phone: 406-255-5714Address: 2626 Lillian Ave Billings, MT 59101 Email: fran.e.nunn@p66.com1. Source of water: Coeur d' Alene River North of Cataldo, ID tributary to Lake Coeur d' Alene - Spokane River.

2. Location of point(s) of diversion:

TWP	RGE	SEC	GOVT LOT	¼	¼	¼	County	Source	Local name or tag #
49N	1E	34		NW	NW	SW	Kootenai	Coeur d'Alene River	

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	1E	33	X																

4. Describe proposed use of water The water will be used in drilling operations for a new HDD crossing of the pipeline. The drilling method used will be a closed system so used water will be reclaimed and disposed of overland at the local super fund disposal site. Water usage will vary but we expect an average 25 gpm or less per day over the project.

5. Amount of water:

Maximum rate of diversion _____ cfs or Average 25 or less gpm.Maximum daily volume 0.15 AF; total volume 2 AF.6. Duration of diversion: from June 15, 2013 to July 27, 2013 4-6 weeks.
Day-month Day-month7. Describe proposed diverting works: Water will be siphoned using a portable diesel pump stored upland8. a. Who owns the property at the requested point of diversion? State of Idaho, Carol Cannadayb. Who owns the land to be irrigated or place of use? Yellowstone Pipe Line Utility Easement, Cataldo Mentonite Churchc. If the property is owned by a person other than the applicant, describe the arrangement allowing access to the water:
Yellowstone Pipe Line has an existing easement9. Additional remarks: Water usage rates will vary depending on drilling rates and loss of water within the formation while drilling. Water will be withdrawn from the west bank nearest the entry point for the HDD work.

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 Fran NunnDate May 1, 2013Received by [Signature] Date 5/6/13 Time _____
\$50.00 fee receipted by [Signature] # N029823 Date 5/6/13
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 2 AF and a maximum rate of diversion of 0.06 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 23 day of May, 2013.

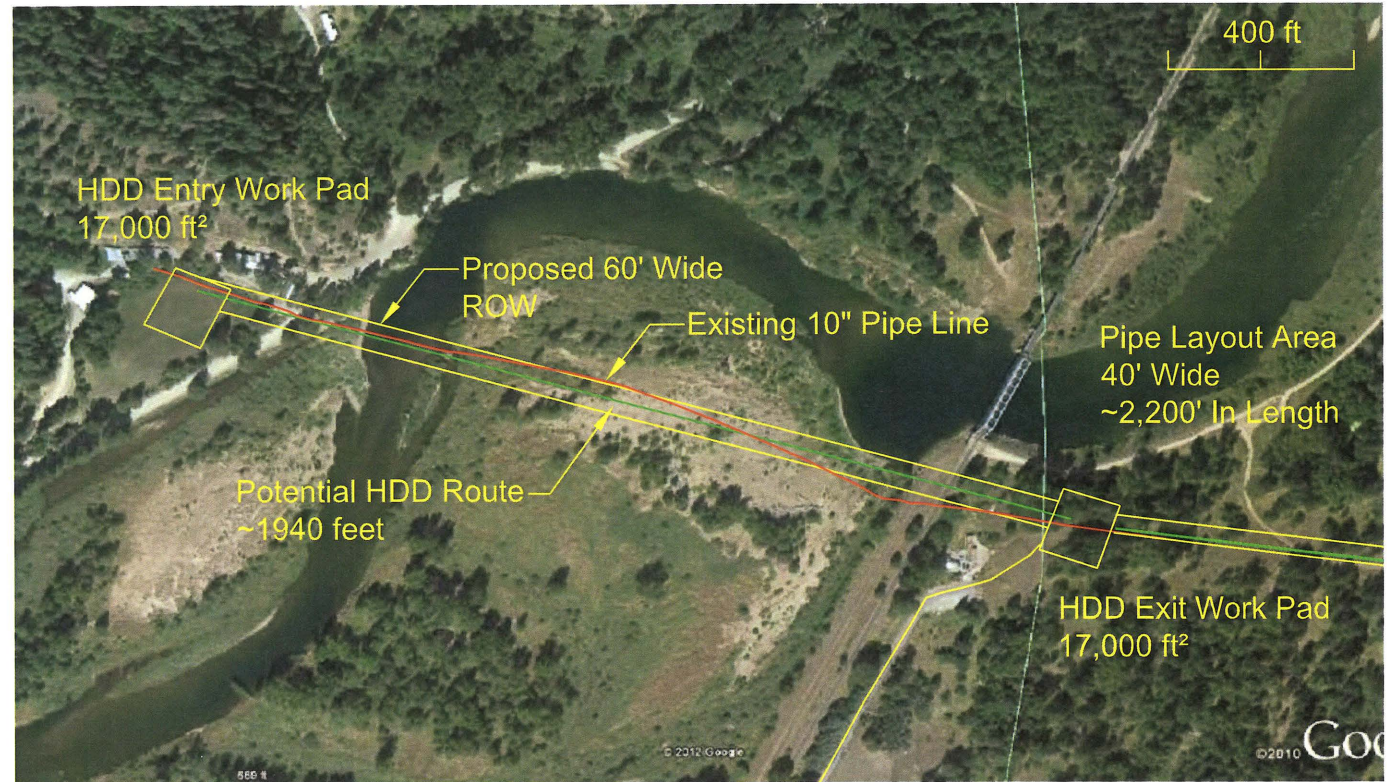
[Signature]
For the Director



Aerial Image Courtesy Google Earth



Kootenai County Property Aerial Courtesy KCWebMap



Aerial Image Courtesy Google Earth



1. Cataldo Mentonite Church (Dennis Carpenter)
13593 S CCC Road
Cataldo, ID 83810
208-682-4738
2. Successor Coeur d'Alene Custodial and Work Trust Daniel Silver
606 Columbia St. NW #212
Olympia, WA 98501
H: 360-786-8788
W: 360-754-9346
3. Idaho Dept. Of Parks and Recreation
P.O. Box 30
Cataldo ID, 83810
4. Kootenai County
451 N Government Way
Coeur d'Alene, ID 83814
5. Carol Cannaday
13275 S CCC Road
Cataldo, ID 83810

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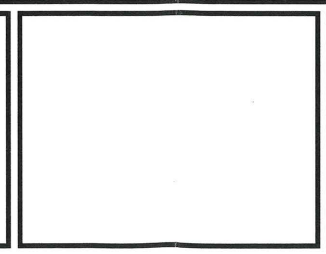
REV.	DATE	BY	DESCRIPTION



Terracon
Consulting Engineers and Scientists

2110 Overland Avenue, Suite 124
PH. (406) 656-3072

Billings, MT 59102
FAX. (406) 656-3578



Coeur d'Alene River Potential HDD - Work Pad and Access Road

Station 8469+82 / AM 478.6

Phillips 66 Pipeline LLC

Yellowstone 10" Pipe Line

Kootenai & Shoshone County

DESIGNED BY:	D Nebel
DRAWN BY:	A Torres
APPVD. BY:	G Rome
SCALE:	As Shown
DATE:	April 2013
JOB NO.	26125063
FILE NAME:	HDDLAYOUT.dwg
SHEET NO.:	1 OF 1



Frances E. Nunn
Environmental Coordinator –
Transportation HSE
Pipeline & Terminals- Billings Division

Phillips 66 Company
2626 Lillian Avenue
Billings, MT 59101
Phone 406.255.5714
fran.e.nunn@p66.com

May 1, 2013

Idaho Department of Water Resources
7600 Mineral Dr., Suite 100
Coeur d'Alene, ID 83815
CERTIFIED MAIL 7011 0110 0002 3273 8567

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MAY 06 2013
IDWR / NORTH

Subject: **Yellowstone Pipe Line Company – HDD Crossing
Application for Temporary Approval of Water Appropriation
Crossing of Coeur d'Alene River near Cataldo, ID**

Please find enclosed the application and supporting information for Temporary Approval of Water Appropriation submitted by Yellowstone Pipe Line. The water would be used as drilling water and for hydro testing of new pipe during the construction of a horizontal directional drill crossing of the Coeur d'Alene River that Yellowstone Pipe Line is proposing to construct this late spring. This new crossing will replace a crossing where the cover over the existing 10-inch at this crossing was found to be less than what P66PL desires. Construction of the crossing located north of Cataldo and identified as pipe line mile marker 478.6 will be planned to start June 15, 2013 and last 4-6 weeks ending by July 27, 2013.

As identified on the attached supporting maps the water will be diverted from the west bank of the Coeur d'Alene River nearest to the HDD entry drilling operations. The actual amount of water to be diverted is dependent upon the amount of lost circulation into the formation, but is expected to average less than 25 gallons per minute on a daily basis. The water would be diverted using a portable diesel pump with a screened intake. Water to be used for hydro testing of the newly installed pipe will be pumped the same way into a portable tank at the same rate and stored temporarily for the hydro testing.

If you have any questions or require additional information, please do not hesitate to contact me or Dan Nebel with Terracon Consultants (406.656.3072), our agent for this permit application, at your earliest convenience.

Yellowstone Pipe Line Company,

Fran Nunn, Environmental Coordinator

Attachments

Cc: Dan Nebel, Terracon Consultants, Inc.

Franklin, Keith

From: Franklin, Keith
Sent: Tuesday, May 14, 2013 10:59 AM
To: 'mary.terra-berns@idfg.idaho.gov'
Attachments: DOC001.pdf; DOC.pdf; DOC000.pdf

Mary,

Attached is an application for a temporary water appropriation from the Coeur d'Alene River for drilling purposes in connection with work on the Yellowstone pipe line for your review and comment.

Thanks

Keith



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

May 14, 2013

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 2.0 acre-feet of water from the Coeur d'Alene River, for drilling purposes, by the Yellowstone Pipe Line Company. A copy of the application is attached for your reference.

Would you please submit your comments no later than May 21, 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 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,

A handwritten signature in black ink that reads "Keith". The signature is written in a cursive, flowing style.

Keith E Franklin
Program Manager, Northern Region

Encl/kf

Franklin, Keith

From: Terra Berns, Mary [mary.terra-berns@idfg.idaho.gov]
Sent: Tuesday, May 21, 2013 10:15 AM
To: Franklin, Keith
Subject: RE:
Attachments: 2013 IDFG Special Use Permit.pdf

Keith,
Yellowstone Pipeline needs to be specific about the State of Idaho property (e.g., IDFG, IDL, IDPR....) where they will be drafting the water. IDFG properties require a Special Use Permit approved by the Regional Habitat Manager.

Mary

From: Franklin, Keith [mailto:Keith.Franklin@idwr.idaho.gov]
Sent: Tuesday, May 21, 2013 9:20 AM
To: Terra Berns, Mary
Subject:

Mary,
Attached is an application for a temporary water appropriation from the North Fork of the Coeur d'Alene River, for a drilling operation by the Yellowstone Pipe Line Co. for your review and comment.
Thanks.
Keith.