



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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

04/03/2013

SOUTH LATAH HIGHWAY DISTRICT
PO BOX 307
GENESEE, ID 83832

RE: Temporary Permit No. TP-86-43

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-86-43.

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

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 Permit TP-86-43 and Receipt N029672

RECEIVED

Form 202 10/07
MAR 08 2013Indent. No. TP-86-43

IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION
(5 AF or less)

- Name of Applicant South Latah Highway District Phone (208) 285-1412
 Address PO Box 307, Genesee, ID 83832 Email slhd@idaho.net
1. Source of water Potlatch River Tributary to _____
2. Location of point of diversion SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9 Township 38N, Range 2W B.M.,
 County Latah
3. Location of place of use _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ Sec. 11, 13 Township 38N, Range 12W B.M.,
14 & 24
 County Latah
4. Proposed use of water To aid in the application of MgCl for the road for dust control and to prevent dust settling in creeks. We have received a DEQ Grant for this purpose and have satisfied all of the requirements when we applied MgCl last year.
5. Amount of water: 30,000 - 45,000 gallons
 Maximum rate of diversion _____ cfs or 300 gpm.
 Maximum daily volume 15,000 gals; Total volume 45,000 max gals
6. Duration of diversion: From May 1 to June 11
 Day-month Day-month
7. Proposed diverting works 3" pumps
8. Who owns the property at the requested point of diversion? South Latah Highway District
9. Describe the arrangement allowing access to the water pump water from the river to a tank on a truck.
10. Remarks Bob Leonard, the foreman, expects the job to take three days. Flexible dates are important because he doesn't know the exact dates he will need the water. May is the best month because of high water. Last year he did not use the water for
 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. the 2nd Year.

Date

3/7/2013

Applicant

Mary Schwenne

Received by

do

Date

3/8/13

Time

3/8/13

\$50.00 fee receipted by

do

#

N029672

Date

Watermaster Comments received?

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 .14 AF and a maximum rate of diversion of .67 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: 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 6-11-13.

Signed this 27 day of March, 2013.


For the Director



State of Idaho

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

March 11, 2013

RAY HENNEKEY
IDAHO DEPARTMENT OF FISH & GAME
3316 16TH 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 an application to temporarily appropriate a total of 0.14 acre-feet of water from the Potlatch River between May 1st and June 11, 2013 for road construction water by the South Latah Highway District. A copy of the application is attached for your reference.

Would you please submit your comments no later than March 18, 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.

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

March 11, 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 0.14 acre-feet of water from the Potlatch River for road construction water between May 1st and June 11, 2013 by the South Latah Highway District. A copy of the application is attached for your reference.

Would you please submit your comments no later than March 18, 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.

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

From: Franklin, Keith
Sent: Monday, March 11, 2013 9:18 AM
To: 'john.cardwell@deq.idaho.gov'
Subject: Temporary Water Appropriation
Attachments: DOC077.pdf

John,
Attached is an application, for your review, to divert 0.14 acre feet of water from the Potlatch River between May 1st and June 11, 2013 for road construction water from the South Latah Highway District. This is essentially a renewal of an permit they have received the last couple of years.
If you have any questions, feel free to give me a call.
Thanks.
Keith Franklin
Program Manager Northern Region

Franklin, Keith

From: Franklin, Keith
Sent: Monday, March 11, 2013 9:09 AM
To: 'Hennekey, Ray'
Subject: Temporary Water Appropriation
Attachments: DOC076.pdf

Ray,
Attached is an application for a temporary water appropriation from the South Latah Highway District for your review and comment. This is essentially a renewal from the last couple of years.
If you have any questions, don't hesitate to give me a call.
Thanks.
Keith

Franklin, Keith

From: Hennekey, Ray [ray.hennekey@idfg.idaho.gov]
Sent: Monday, March 11, 2013 11:50 AM
To: Franklin, Keith
Cc: Cadwallader, Dave; Kiefer, Sharon
Subject: RE: Temporary Water Appropriation

Keith –

This 2013 application is essentially the same as the temporary permits issued to S Latah HD for the past several years. Our comments would not differ from those we made on the previous applications. We have no concerns with issuing the temporary permit. However, one key point of our previous recommendations was to ask that, if at all possible, limit withdrawals to May, and the earlier the better. Flows are limiting for steelhead in the Potlatch and flows may be lower than normal this year; therefore, early withdrawals will help minimize impacts to fish.

Thanks.



Ray Hennekey
Environmental Staff Biologist
Idaho Department of Fish and Game
Clearwater Region
3316 16th Street
Lewiston, Idaho 83501

(208) 799-5010

From: Franklin, Keith [<mailto:Keith.Franklin@idwr.idaho.gov>]
Sent: Monday, March 11, 2013 9:09 AM
To: Hennekey, Ray
Subject: Temporary Water Appropriation

Ray,
Attached is an application for a temporary water appropriation from the South Latah Highway District for your review and comment. This is essentially a renewal from the last couple of years.
If you have any questions, don't hesitate to give me a call.
Thanks.
Keith



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

RECEIVED
MAR 15 2013
IDWR / NORTH

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

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

March 13, 2013

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

Dear Mr. Franklin:

We received your letter requesting comments for a temporary water appropriation to the South Latah Highway District for the withdraw of 0.14 acre feet of water from the Potlatch River near T38N R2W Section 9 at a maximum rate of 300 gallons per minute (0.67 cubic feet per second) for 3 days between May 1 and June 11 for road dust abatement. Assuming all federal, state and local permits have been obtained, regulations met, and reviews completed, we offer the following comments.

In the Idaho Water Quality Standards, this segment of the Potlatch River is included in water body ID17060306CL045_05. Water body ID17060306CL045_05 is currently listed in category 4 of Idaho's 2010 Integrated Report as not supporting its cold water aquatic life and salmonid spawning beneficial uses due to temperature, flow, and habitat modification. A temperature load allocation for this water body is included in the Potlatch River Subbasin Assessment and Total Maximum Daily Load (TMDL). Flow records included in the TMDL show average monthly flows in this water body between May and June range from approximately 1000 cubic feet per second to 150 cubic feet per second.

The requested withdrawal of 0.67 cubic feet per second for 3 days between May 1 and June 11 should not significantly affect the water body's beneficial uses, cause an exceedance of its TMDL temperature load allocation, or violate Idaho Water Quality Standards if the withdrawal is conducted while flows are high and from an area that will not result in a disturbance to the river's channel and riparian area.

Thank you for the opportunity to comment on your application. If you have any questions regarding Idaho's Water Quality Standards or these comments, please call us at (208) 799-4370.

Sincerely,

A handwritten signature in blue ink that reads "John Cardwell".

John Cardwell
Regional Program Manager

cc: Clayton Steele, Regional Administrator