

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources ("Department") has examined this application for temporary approval to use water under the provisions of Idaho Code § 42-202A and has determined that:

     A. The application for temporary approval should be denied because \_\_\_\_\_

✓ 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.
5. If the temporary approval is within a water district, the Department has sought and considered the recommendations of the watermaster.

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 of the use of the water under this approval.
3. This approval authorizes a maximum diversion volume of 4.0 AF and a maximum rate of diversion of 0.33 cfs.
4. This approval does not grant a right-of-way across the land of another.
5. The Department may cancel or reduce the rate of flow or volume authorized by this approval. For example, the Department may cancel or reduce this approval if it concludes the water use is injuring other water rights or adversely affecting fish, wildlife or other public values.
6. Water shall not be diverted under this right when flows in the Clearwater River are below minimum flow amounts as defined by Rights 85-7583 & 86-7345. The right holder shall be responsible for monitoring the daily flow of the Clearwater River using real-time data and shall cease diverting water when flows in the Clearwater River are below established minimum flow amounts. Unless otherwise specified by the Director of the Department of Water Resources, data from the U.S. Geological Survey Orofino gauging station, No. 13340000, may be used for purposes of determining the daily flow amounts.
7. This approval does not create a continuing right to use water.
8. A temporary approval for ground water recharge or prevention of flood damage shall be an opportunistic use of surplus water and shall not interfere with the filling of surface water reservoirs.
9. For a temporary approval authorizing ground water recharge or ground water or surface water remediation, the applicant shall measure and record the weekly quantity of water diverted and report the diversion data to the Department upon request.
10. Water intakes should be screened to prevent entrainment or impingement of fish or other aquatic life. The maximum screen mesh size should be 3/32 inches; approach velocities should not exceed 0.5 ft/second.
11. This temporary approval is not an authorization for the described water use to be used as mitigation or credit for any other purpose.
12. A copy of the approved permit MUST be with pump when diverting.
13. Other: \_\_\_\_\_
14. This approval expires on 01 OCTOBER 2020.

Signed this 22nd day of June, 2020.

Adam Frederick  
Adam Frederick, Water Right Supervisor



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N MINERAL DR STE 100 • COEUR D ALENE, ID 83815-7763  
Phone: (208)762-2800 • Fax: (208)769-2819 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

June 22, 2020

NORTH LATAH COUNTY HIGHWAY DISTRICT  
1132 WHITE AVE  
MOSCOW ID 83843-3963

RE: Application for Temporary Approval of Water Use: TP-86-74

Dear Applicant(s):

Your application for temporary water appropriation has been approved and is enclosed. The approval authorizes the temporary use of water and does not grant trespass or other activity on public land or on private property.

Please review the **conditions of approval on page 2 of the Application for Temporary Approval form** to understand the limitations associated with the temporary use of water.

This temporary approval **expires on** October 01, 2020. The expiration date cannot be extended under this temporary approval.

If you have any questions, please feel free to contact this office, and any of our agents will be able to assist you.

If you require additional information regarding this matter, please call me at (208) 762-2800 or email me at [Luke.Bates@idwr.idaho.gov](mailto:Luke.Bates@idwr.idaho.gov)

Sincerely,

A handwritten signature in blue ink, appearing to read 'Luke Bates', is written over a light blue circular stamp.

Luke Bates  
Water Resource Agent.

Enclosure(s) Copy of Application

## Bates, Luke

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**From:** Swearingen,Zachary <zachary.swearingen@idfg.idaho.gov>  
**Sent:** Monday, June 22, 2020 8:56 AM  
**To:** Bates, Luke  
**Subject:** RE: IDWR Temp approval

Hi Luke,

For this application I recommend the pump intake have a maximum screen mesh size of 3/32- inches. I also recommend that approach velocities at the intake should not exceed 0.5 feet per second.

Hope all is well,

Zach Swearingen  
Environmental Staff Biologist  
Idaho Department of Fish and Game - Clearwater Region  
3316 16th St  
Lewiston, ID 83501  
208-799-5010



**From:** Bates, Luke <Luke.Bates@idwr.idaho.gov>  
**Sent:** Monday, June 15, 2020 3:15 PM  
**To:** Sujata.Connell@deq.idaho.gov; Swearingen,Zachary <zachary.swearingen@idfg.idaho.gov>  
**Subject:** IDWR Temp approval

Dear Interested Agencies:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding an application **(1 of 2)** to temporarily appropriate 4.0 acre-feet of water from Potlatch River and Clearwater River for dust abatement/road stabilization, by North Latah County HWY District. A copy of the application is attached for your reference.

Would you please submit your comments no later than **June 22nd, 2020**. 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.

Please send comments to Luke Bates by FAX to 208-762-2819, or by e-mail to [luke.bates@idwr.idaho.gov](mailto:luke.bates@idwr.idaho.gov).

If you have any questions, don't hesitate to contact me at the Northern Region Office (208) 762-2800.

Thank you,  
Luke Bates  
Water Resource Agent  
Idaho Dept. of Water Resources

## Bates, Luke

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**From:** Bates, Luke  
**Sent:** Monday, June 15, 2020 3:15 PM  
**To:** 'Sujata.Connell@deq.idaho.gov'; 'Swearingen,Zachary'  
**Subject:** IDWR Temp approval  
**Attachments:** North Latah County HWY Dist\_ Potlatch&Clearwater Application for Temp wa....pdf

Dear Interested Agencies:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding an application **(1 of 2)** to temporarily appropriate 4.0 acre-feet of water from Potlatch River and Clearwater River for dust abatement/road stabilization, by North Latah County HWY District. A copy of the application is attached for your reference.

Would you please submit your comments no later than **June 22nd, 2020**. 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.

Please send comments to Luke Bates by FAX to 208-762-2819, or by e-mail to [luke.bates@idwr.idaho.gov](mailto:luke.bates@idwr.idaho.gov).

If you have any questions, don't hesitate to contact me at the Northern Region Office (208) 762-2800.

Thank you,  
Luke Bates  
Water Resource Agent  
Idaho Dept. of Water Resources  
Northern Regional Office  
P: (208) 762-2800  
F: (208) 762-2819  
[Luke.bates@idwr.idaho.gov](mailto:Luke.bates@idwr.idaho.gov)

RECEIVED

Form 202A 04/17

JUN 15 2020

TP 86-74

ID No. \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

SWR/NORTH

APPLICATION FOR TEMPORARY APPROVAL OF WATER USE

For a use not intended to become an established water right and not to exceed one (1) year in duration in accordance with Idaho Code § 42-202A.

Name of applicant North Latah County Highway District Phone (208) 882-7490  
Mailing address 1132 White Ave City Moscow  
State ID Zip 83843 Email nlchd@nlchd.com

1. Source of water various tributary to Potlatch/Clearwater  
2. Location of point(s) of diversion. If more than two, attach a Point of Diversion/Place of Use Supplement. ☒

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #
40N	01W	34		NW	NW		LATAH	POTLATCH @ PARK RD	
41N	01W	36		SW	NE		LATAH	POTLATCH @ BOVILL	

3. Location of place of use. If more rows are needed, attach a Point of Diversion/Place of Use Supplement. ☐

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

4. Proposed use of water:  
a. ☐ Prevention of flood damage ☐ Ground water recharge ☐ Ground water or surface water remediation  
☒ Other (Limited to a diverted volume of 5 acre-feet.) Describe: DUST ABATEMENT/ROAD STABILIZATION  
b. Attach a detailed description of how the proposal will accomplish the intended objective, such as prevention of flood damage.  
5. Amount of water. Complete all three:  
a. Maximum rate of diversion: 0.33 cfs; or 150 gpm.  
b. Maximum daily volume: 0.2 AF; or \_\_\_\_\_ gallons.  
c. Maximum volume over the duration of the request: 4.0 AF; or \_\_\_\_\_ gallons.  
6. Duration of diversion: from JUNE 10 2020 (month-day) to OCTOBER 1 2020 (month-day).  
7. Describe proposed diverting works: TRASH PUMP  
8. a. Who owns the property at the requested point of diversion? PUBLIC RIGHT-OF-WAY  
b. Who owns the facilities that will convey water to the place of use? NORTH LATAH COUNTY HIGHWAY DISTRICT  
c. Who owns the land to be irrigated or place of use? PUBLIC RIGHT-OF-WAY  
d. If any of the items above is owned by a person or entity other than the applicant, describe the arrangement allowing access and attach written evidence of the arrangement. \_\_\_\_\_  
9. Attach an 8 1/2" x 11" map identifying the water source, point(s) of diversion, place(s) of use and conveyance system.

I hereby acknowledge that I assume all risk of the diversion and use of the water under this approval. I certify this is a temporary use and is not intended to become an established water right.

Signature of Applicant [Signature] CLERK \_\_\_\_\_ Date 06/08/2020  
Title, if any \_\_\_\_\_ Date \_\_\_\_\_

Received by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_  
\$50.00 fee received by TA # NP36173 Date 6-15-2020  
Watermaster comments received? \_\_\_\_\_ Date \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Ident. No. \_\_\_\_\_

**Point of Diversion/Place of Use Supplement**

Attachment to: ☒ Application for Permit to Appropriate Water    ☐ Application for Transfer\*\*    ☐ Adjudication Claim  
☐ Application for Amendment of Permit    ☐ Beneficial Use Field Report    ☐ Statutory Claim

**Location of points of diversion (POD):**

New POD?	Twp	Rge	Sec	Govt Lot	¼	¼	¼	County	Source	Local name or well/diversion tag #
<input type="checkbox"/> Yes	40N	02W	20		NE	SE		LATAH	BIG BEAR CREEK	
<input type="checkbox"/> Yes	40N	03W	30		SE	NE		LATAH	SPRING VALLEY RES	
<input type="checkbox"/> Yes	41N	01W	26		NE	NE		LATAH	MOOSE CREEK RES	
<input type="checkbox"/> Yes										
<input type="checkbox"/> Yes										
<input type="checkbox"/> Yes										
<input type="checkbox"/> Yes										
<input type="checkbox"/> Yes										
<input type="checkbox"/> Yes										
<input type="checkbox"/> Yes										

**Description of place of use (POU):**

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.  
b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	



RECEIVED  
JUN 04 2020

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

IDWR / NORTH

APPLICATION FOR TEMPORARY APPROVAL OF WATER USE

For a use not intended to become an established water right and not to exceed one (1) year in duration in accordance with [Idaho Code § 42-202A](#).

Name of applicant NORTH LATAH COUNTY HIGHWAY DISTRICT Phone (208) 882-7490  
Mailing address 1132 WHITE AVE City MOSCOW  
State ID Zip 83843 Email NLCHD@NLCHD.COM

1. Source of water VARIOUS tributary to POTLATCH RIVER  
2. Location of point(s) of diversion. If more than two, attach a [Point of Diversion/Place of Use Supplement](#). ☐

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #
40N	03W	30			SW	NW	LATAH	SPRING VALLEY RES	
40N	04W				NW	NE	LATAH	BIG MEADOW CREEK	

3. Location of place of use. If more rows are needed, attach a [Point of Diversion/Place of Use Supplement](#). ☐

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

4. Proposed use of water:  
a. ☐ Prevention of flood damage ☐ Ground water recharge ☐ Ground water or surface water remediation  
☒ Other (Limited to a diverted volume of 5 acre-feet.) Describe: DUST ABATEMENT AND ROAD STABILIZATION  
b. Attach a detailed description of how the proposal will accomplish the intended objective, such as prevention of flood damage.  
5. Amount of water. Complete all three:  
a. Maximum rate of diversion: \_\_\_\_\_ cfs; or 150 gpm.  
b. Maximum daily volume: 0.2 AF; or \_\_\_\_\_ gallons.  
c. Maximum volume over the duration of the request: 5.0 AF; or \_\_\_\_\_ gallons.  
6. Duration of diversion: from MAY 20 (month-day) to OCTOBER 1 (month-day).  
7. Describe proposed diverting works: TRASH PUMP  
8. a. Who owns the property at the requested point of diversion? PUBLIC RIGHT-OF-WAY  
b. Who owns the facilities that will convey water to the place of use? APPLICANT  
c. Who owns the land to be irrigated or place of use? PUBLIC RIGHT-OF-WAY  
d. If any of the items above is owned by a person or entity other than the applicant, describe the arrangement allowing access and attach written evidence of the arrangement. \_\_\_\_\_  
9. Attach an 8 1/2" x 11" map identifying the water source, point(s) of diversion, place(s) of use and conveyance system.

I hereby acknowledge that I assume all risk of the diversion and use of the water under this approval. I certify this is a temporary use and is not intended to become an established water right.

[Signature] Clerk 06/02/2020  
Signature of Applicant Title, if any Date

Received by [Signature] Date 6-15-2020 Time \_\_\_\_\_  
\$50.00 fee received by [Signature] # N036173 Date \_\_\_\_\_  
Watermaster comments received? \_\_\_\_\_ Date \_\_\_\_\_

## Ident. No. \_\_\_\_\_

Attachment to: ☐ Application for Permit to Appropriate Water ☐ Application for Transfer\*\* ☐ Adjudication Claim  
☐ Application for Amendment of Permit ☐ Beneficial Use Field Report ☐ Statutory Claim

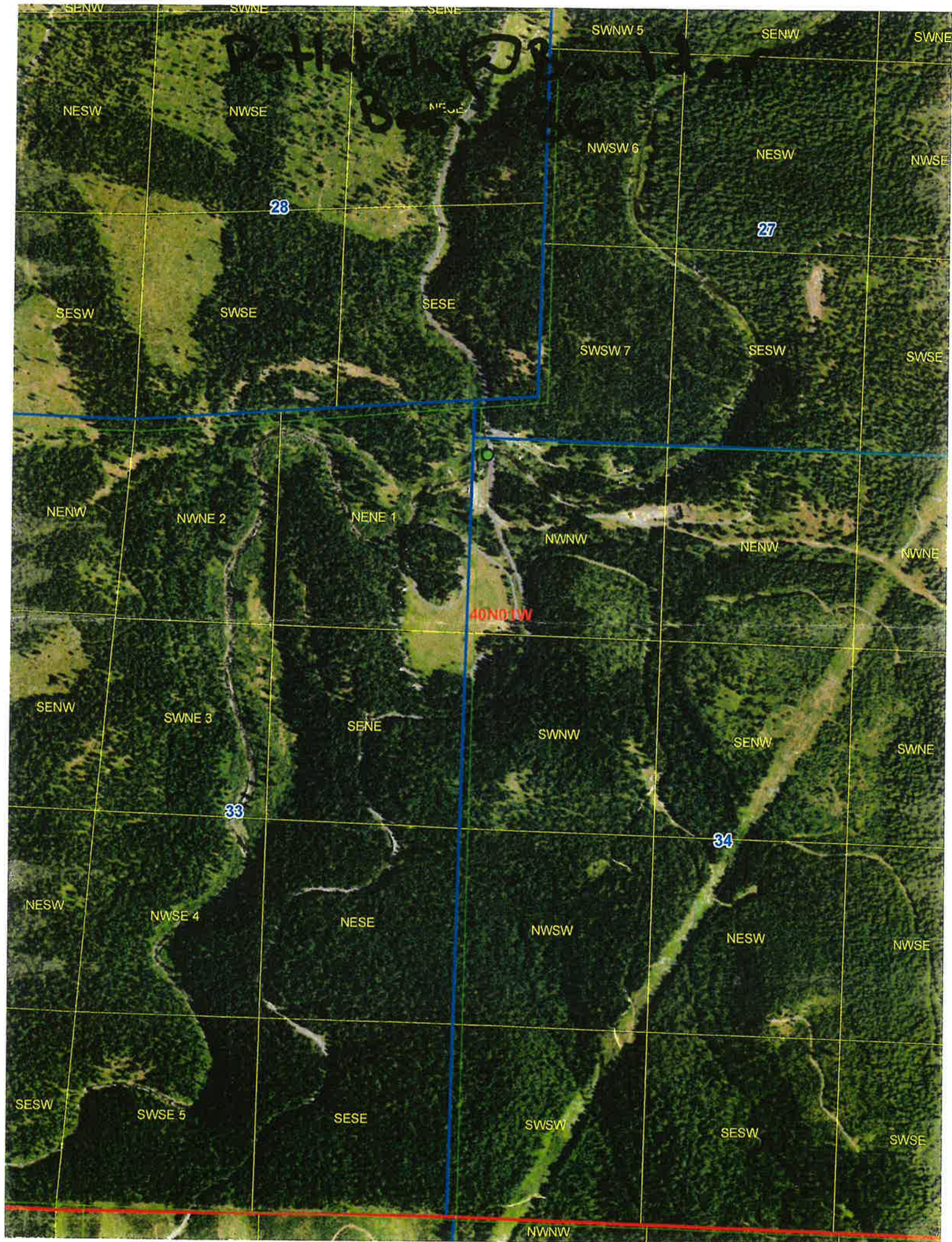
[illegible]

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

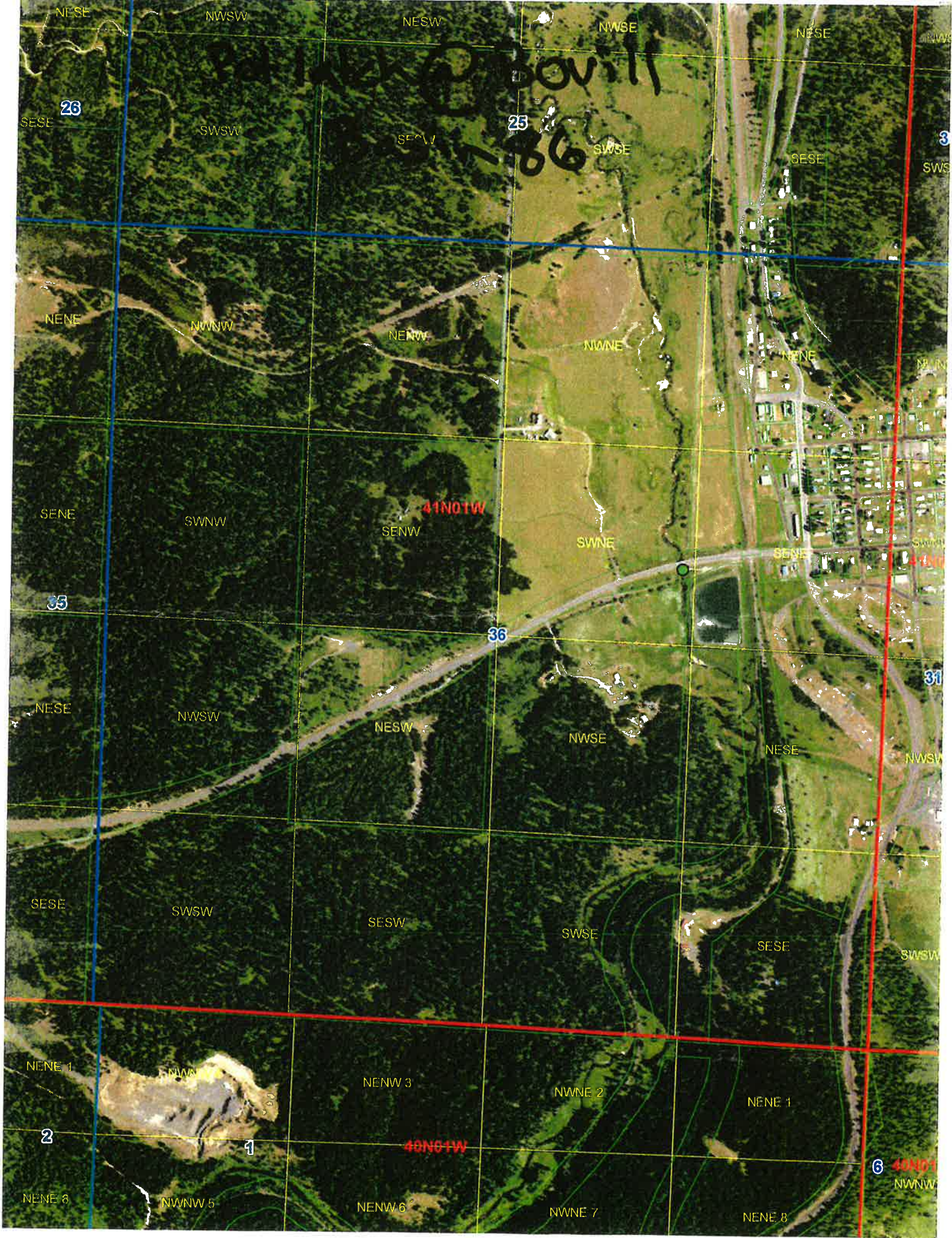
b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below.

[illegible]



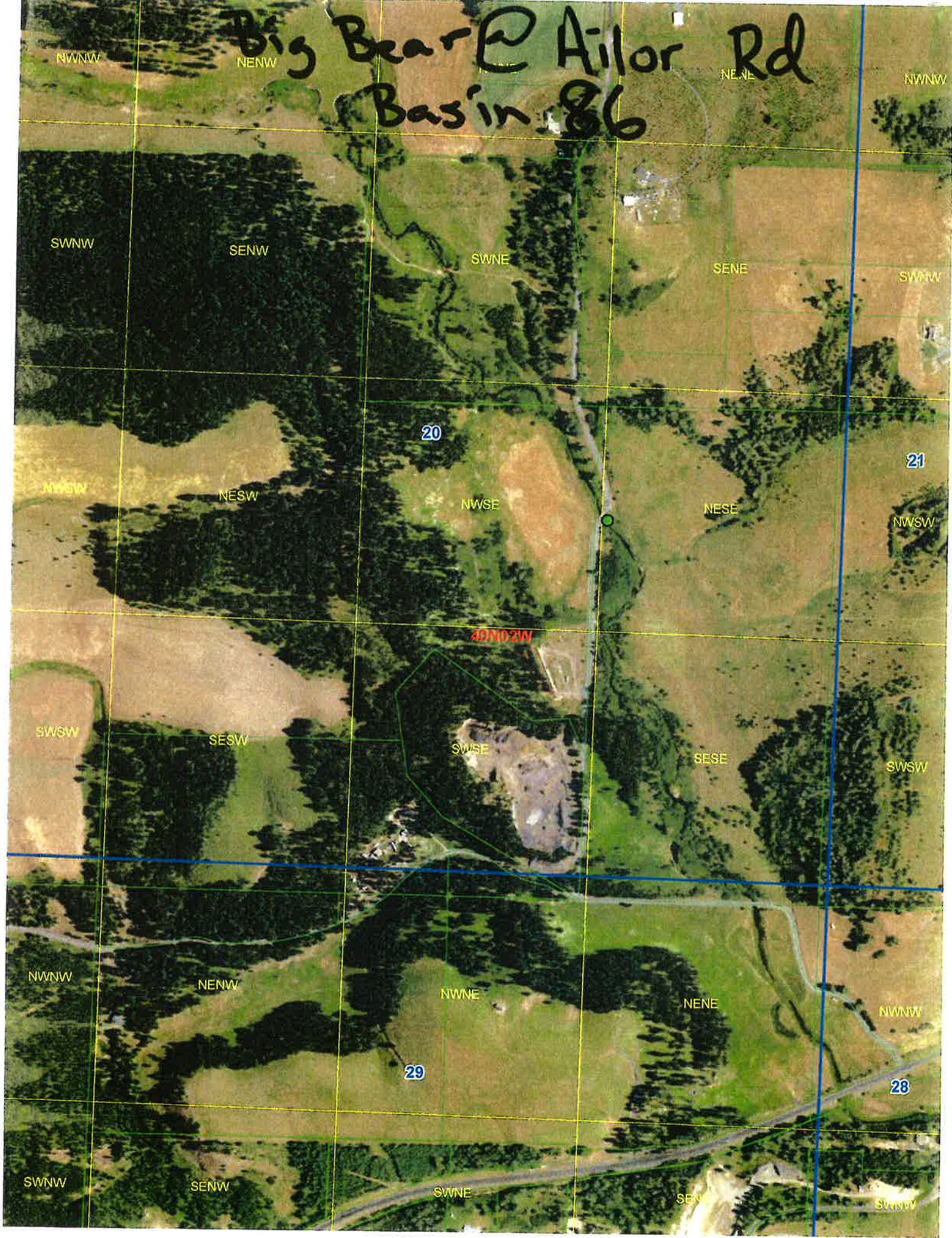




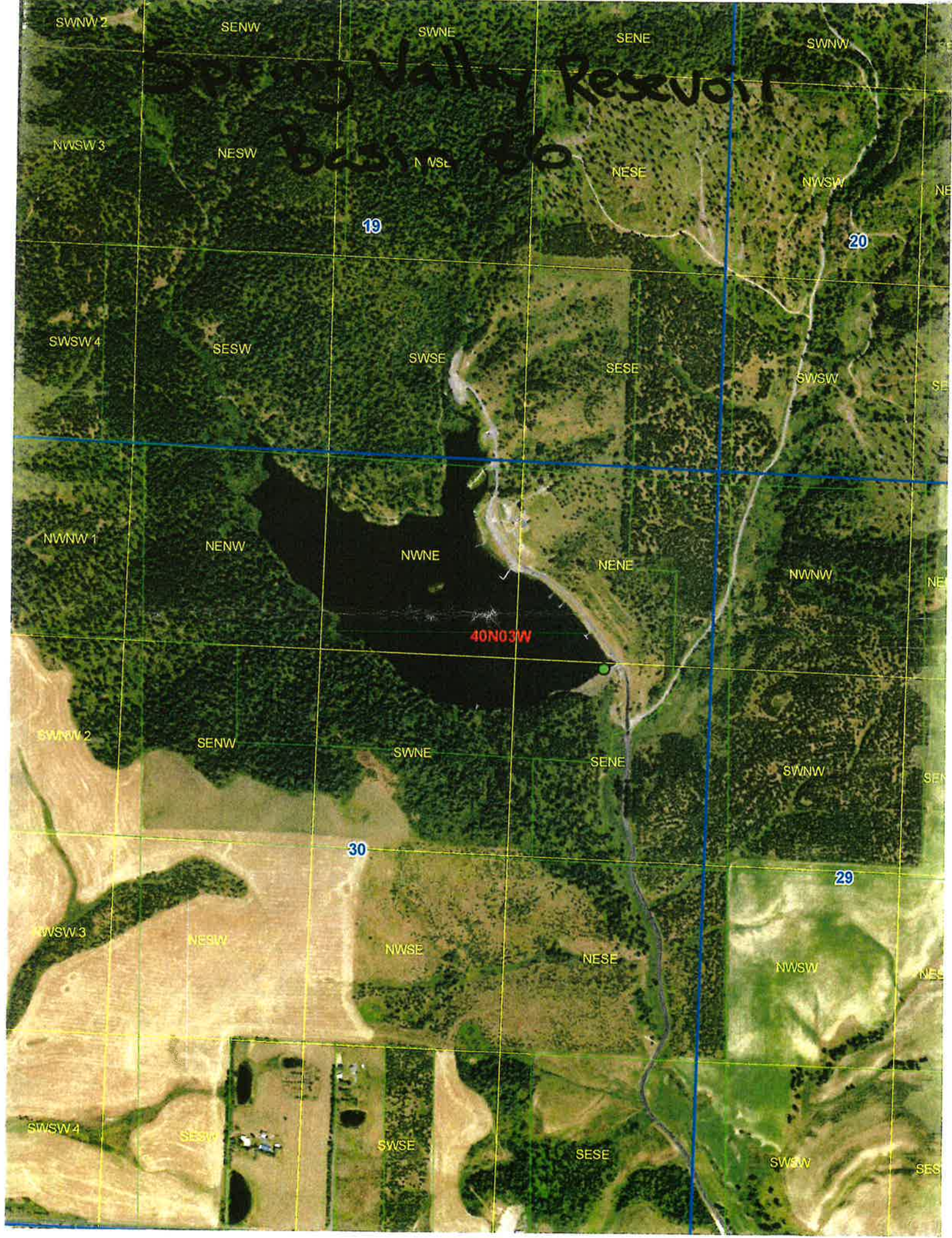




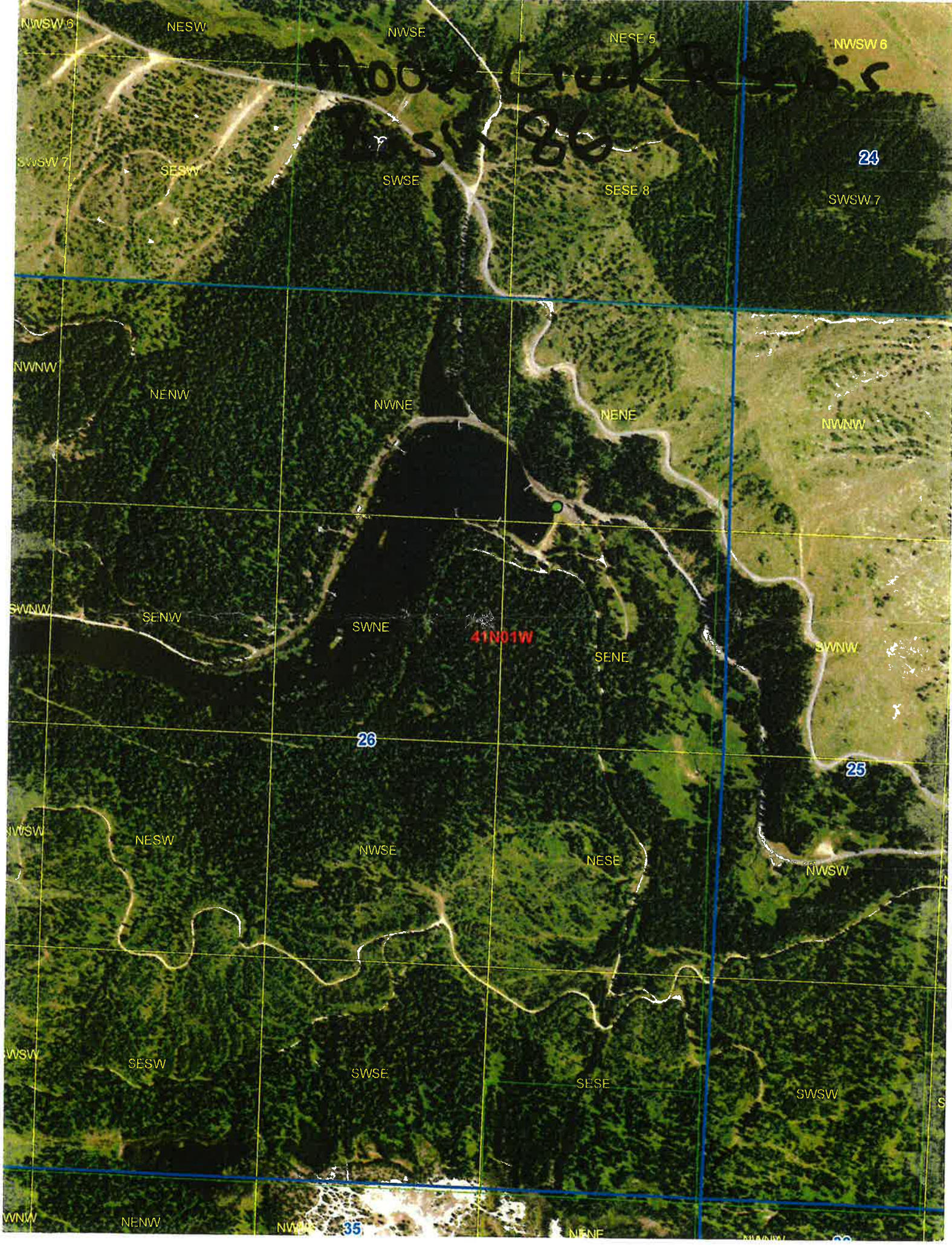
Big Bear @ Ailor Rd  
Basin 86











Moco Creek Reservoir  
SW 86

41N01W

24

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