

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 4.6 AF and a maximum rate of diversion of 0.45 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 Coeur d'Alene River are below minimum flow amounts as defined by Right 94-7341. The right holder shall be responsible for monitoring the daily flow of the Coeur d'Alene River using real-time data and shall cease diverting water when flows in the Coeur d'Alene 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 Cataldo gauging station, No. 12413500, 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 0.25 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. Direct discharge of waste water/slurry is not authorized under this approval.
14. This approval expires on 31 OCTOBER 2020.

Signed this 15th day of June, 2020.


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

Brad Little
Governor

Gary Spackman
Director

June 15, 2020

DG&S COMPANY
599A FRENCH GULCH RD
KINGSTON ID 83839-8749

RE: Application for Temporary Approval of Water Use: TP-94-200

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 31, 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

Sincerely,

Luke Bates
Water Resource Agent.

Enclosure(s) Copy of application

Bates, Luke

From: Chantilly.Higbee@deq.idaho.gov
Sent: Thursday, June 11, 2020 2:02 PM
To: Bates, Luke
Subject: RE: IDWR Temporary Water Use Approval

Hi Luke,

I have no comment for you on this one.

Thanks!

Chantilly



Chantilly Higbee | Water Quality Compliance Officer
Idaho Department of Environmental Quality
2110 Ironwood Parkway
Coeur d'Alene, Idaho 83814
Office: (208) 666-4605
<http://www.deq.idaho.gov/>

Our mission is to protect human health and the quality of Idaho's air, land, and water.

From: Bates, Luke [mailto:Luke.Bates@idwr.idaho.gov]
Sent: Monday, June 8, 2020 4:06 PM
To: Chantilly Higbee; merritt.horsmon@idfg.idaho.gov
Subject: IDWR Temporary Water Use Approval

Dear Interested Agencies:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding an application to temporarily appropriate 4.6 acre-feet of water from Canyon Creek, for dust control for nearby mine reclamation (CERCLA), by DG&S Company. A copy of the application is attached for your reference.

Would you please submit your comments no later than **June 15, 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 regular mail to the address below, by FAX to 208-762-2819 or by e-mail to luke.bates@idwr.idaho.gov.

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

Bates, Luke

From: Bates, Luke
Sent: Monday, June 8, 2020 4:06 PM
To: 'Chantilly.Higbee@deq.idaho.gov'; 'merritt.horsmon@idfg.idaho.gov'
Subject: IDWR Temporary Water Use Approval
Attachments: DG&S Application for Temporary Approval of Water Use.pdf

Dear Interested Agencies:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding an application to temporarily appropriate 4.6 acre-feet of water from Canyon Creek, for dust control for nearby mine reclamation (CERCLA), by DG&S Company. A copy of the application is attached for your reference.

Would you please submit your comments no later than **June 15, 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 regular mail to the address below, by FAX to 208-762-2819 or by e-mail to luke.bates@idwr.idaho.gov.

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

JUN 08 2020

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 DG&S Company Phone (208) 682-3330
 Mailing address 599A French Gulch Rd. City Kingston
 State Idaho Zip 83839 Email jeff@dgscompany.com

1. Source of water Canyon Creek tributary to South Fork Coeur d'Alene River2. 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 #
48N	4E	25		NE	NW		Shoshone	Canyon 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	
48N	4E	25	X	X	X	X	X	X	X	X									
48N	4E	30						X											

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 control for nearby mine reclamation (CERCLA)

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: 0.45 cfs; or 200 gpm.
 b. Maximum daily volume: .123 AF; or 40,000 gallons.
 c. Maximum volume over the duration of the request: 4.5 AF; or 1,500,000 gallons.

6. Duration of diversion: from June 15 (month-day) to October 31 (month-day).7. Describe proposed diverting works: Temporary pump, screened inlet in stream pool, pumps into water truck, delivers to roads

8. a. Who owns the property at the requested point of diversion? CDA Trust
 b. Who owns the facilities that will convey water to the place of use? DG&S Company
 c. Who owns the land to be irrigated or place of use? CDA Trust
 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. DG&S Company is the contractor performing the work for the CDA Trust.

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 Jamie BeeghlyTitle, if any Corp. Sec.Date 06/08/2020

Received by Ja Date 6-8-2020
 \$50.00 fee received by Ja # N036161 Date 6-8-2020
 Watermaster comments received? _____ Date _____

CCQ Temp Water Permit

Legend

- Area of Dust Control Roads
- Point of Diversion

Canyon
Creek

Point of Diversion

Google Earth

© 2020 Google

3000 ft

N

