

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 _____

X 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

X 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 0.7 AF and a maximum rate of diversion of 0.20 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 12/31/2020.

Signed this 25th day of March, 20 20.


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

March 25, 2020

NEZ PERCE COUNTY ROAD & BRIDGE DEPT
3215 E MAIN ST
LEWISTON ID 83501-3350

RE: Application for Temporary Approval of Water Use: TP-86-70

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** December 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) 762-2817 or email me at Luke.Bates@idwr.idaho.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'LBates'.

Luke Bates
Water Resource Agent.

Enclosure(s) Application

Alleman, Tammy

From: Alleman, Tammy
Sent: Tuesday, March 17, 2020 8:21 AM
To: 'Sujata.Connell@deq.idaho.gov'; 'Swearingen,Zachary'; 'John.Cardwell@deq.idaho.gov'
Subject: Request for Comments for Application for Temporary Approval of Water Use
Attachments: Nez Perce County Road & Bridge.pdf

Dear Interested Agencies:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding two applications to temporarily appropriate 0.7 acre-feet each of water from the Clearwater River, for dust control and surface stabilization, by Nez Perce County Road & Bridge. A copy of the applications are attached for your reference.

Would you please submit your comments no later than **March 24th, 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 Adam Frederick by regular mail to the above address, by FAX to 208-762-2819 or by e-mail to adam.frederick@idwr.idaho.gov.

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

Thank you,

Tammy

*Tammy Alleman
Administrative Assistant
Idaho Department of Water Resources
7600 North Mineral Drive, Suite 100
Coeur d'Alene, ID 83815
Tammy.Alleman@idwr.idaho.gov
208-762-2800 Phone
208-762-2819 Fax*

MAR 16 2020

ID No. 86-70

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 NEZ PERCE COUNTY ROAD AND BRIDGE Phone (208) 790-3060

Mailing address 3215 E MAIN ST City LEWISTON

State ID Zip 83501 Email ROBINP@CO.NEXPERCE.ID.US

1. Source of water CLEARWATER RIVER tributary to SNAKE 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	¼	¼	¼	County	Source	Local name or tag #
36N	04W	20			NW	SE	NEZ PERCE	CLEARWATER RIVER	@SPALDING
37N	02W				NE	SW	NEZ PERCE	CLEARWATER RIVER	@LENORE

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

[illegible]

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 AND SURFACE 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: 0.20 cfs; or 90 gpm.

b. Maximum daily volume: _____ AF; or 56,000 gallons.

c. Maximum volume over the duration of the request: 0.7 AF; or _____ gallons.

6. Duration of diversion: from 3/1 (month-day) to 12/31 (month-day).

7. Describe proposed diverting works: PUMP FROM RIVER TO PUMP TRUCKS

8. a. Who owns the property at the requested point of diversion? STATE OF IDAHO

b. Who owns the facilities that will convey water to the place of use? NEZ PERCE COUNTY

c. Who owns the land to be irrigated or place of use? STATE OF IDAHO / NEZ PERCE COUNTY

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

Director
Title, if any

3/9/20
Date

Received by SA Date 3-16-2020 Time _____

\$50.00 fee received by Y9 # N035967 Date 3-16-2020

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]

