

State of Idaho
Department of Water Resources
Permit to Appropriate Water
No. 87-11020

Priority: July 08, 2019

Maximum Diversion Volume: 14.7 AF

This is to certify that

EDWIN SALISBURY 400 MILL RD MOSCOW ID 83843-8407 OR
CONNIE SALISBURY 400 MILL RD MOSCOW ID 83843-8407

has applied for a permit to appropriate water from:

Source : UNNAMED STREAM

Tributary: SOUTH FORK PALOUSE
RIVER

and a permit is APPROVED for development of water as follows:

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Annual Volume</u>
IRRIGATION STORAGE	01/01 to 12/31	9.0 AF
IRRIGATION FROM STORAGE	03/15 to 10/31	9.0 AF
FIRE PROTECTION STORAGE	01/01 to 12/31	5.7 AF

Location of Point(s) of Diversion

UNNAMED STREAM SW¼ SE¼, Sec. 10, Twp 39N, Rge 05W, B.M. LATAH County

Place of Use: IRRIGATION STORAGE AND FIRE PROTECTION STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				No QQ	Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
39N	05W	10															X			

Place of Use: IRRIGATION FROM STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				No QQ	Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
39N	05W	10															3.0			3.0

Total Acres: 3.0

Conditions of Approval

1. Proof of application of water to beneficial use shall be submitted on or before **September 01, 2020**.
2. Subject to all prior water rights.
3. Water shall not be diverted from fire protection storage except to fight or repel an existing fire.
4. Right 87-11020 authorizes the storage of an annual total of 14.7 acre-feet, comprised of 3.6 acre-feet to be used for the initial filling of the pond, 2.1 acre-feet for the replacement of losses due to seepage and evaporation, and up to 9.0 acre-feet for additional refills for irrigation from storage use.
5. The pond established by the storage of water under this right shall not exceed a total capacity of 3.6 acre-feet or a total surface area of 0.9 acres.
6. This right when combined with all other rights shall provide no more than 3.0 afa per acre at the field headgate for irrigation of the place of use.

State of Idaho
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7. This right does not grant any right-of-way or easement across the land of another.

This permit is issued pursuant to the provisions of Idaho Code § 42-204.

Signed this 10th day of September, 20 19.



DOUGLAS JONES
Northern Regional Manager

State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

87-11020

This map depicts the IRRIGATION STORAGE and FIRE PROTECTION STORAGE place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.035 0.07 0.14 Miles



State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

87-11020

This map depicts the IRRIGATION FROM STORAGE place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

05W



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.035 0.07 0.14 Miles





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

September 11, 2019

CONNIE SALISBURY
400 MILL RD
MOSCOW ID 83843-8407

EDWIN SALISBURY
400 MILL RD
MOSCOW ID 83843-8407

RE: Permit No. 87-11020

Permit Approval Notice

Dear Permit Holder(s):

The Department of Water Resources ("Department") has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review all the conditions of approval listed on your permit. The conditions include requirements that you must accomplish, such as timely submittal of proof of beneficial use or installation of a measuring device, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district. Failure to comply with the conditions of approval may result in your permit lapsing or being canceled.

The permit is a PRELIMINARY ORDER issued pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

The final step in the water right process is issuance of a water right license. To receive a water right license, you must divert and use water to the full extent intended and submit a *Statement of Completion for Submitting Proof of Beneficial Use* ("Proof") by the date shown in condition no. 1 of your permit. The Department will send you a *Proof Due Notice* approximately 60 days prior to the date listed in condition no. 1 of your permit. If you have already diverted and used water to the full extent intended, you may complete and submit the enclosed Proof form immediately.

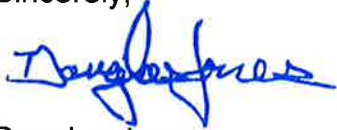
You may also require approvals from other Department programs, such as Ground Water Protection, Safety of Dams, or Stream Channel Protection, to accomplish your

proposed development. Please call or visit any Department office or see the Department's website at idwr.idaho.gov for more information about these programs.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions concerning the enclosed information, please contact the Northern Region Office at (208) 762-2800.

Sincerely,



Douglas Jones
Northern Regional Manager

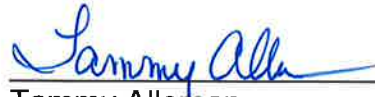
Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on September 11, 2019, I served a true and correct copy of Permit to Appropriate Water No. 87-11020 by U.S. Mail, postage prepaid, to the following:

CONNIE SALISBURY (Current Owner)
400 MILL RD
MOSCOW ID 83843-8407

EDWIN SALISBURY (Current Owner)
400 MILL RD
MOSCOW ID 83843-8407



Tammy Alleman
Administrative Assistant 1

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

NEWS REVIEW PUBLISHING COMPANY

The Moscow-Pullman Daily News

P.O.Box 957

Lewiston, Idaho 83501

(208) 743-9411

Date:

07/25/2019

INVOICE NO.

153194

Account No.

964750

Description

153194 The foll

Times

2

Lines

146

Tab. lines

\$ 1187.55

**LEGAL ADVERTISING
INVOICE**

Sold To: ID DEPT. OF WATER RESOURCES
7600 MINERAL DR #100
COEUR D ALENE ID 83814

PO#

NOTICE: This is a invoice of Purchase made by you. Statement will be rendered the first of the month
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

153194

The following application(s) have been filed to appropriate
the public waters of the State of Idaho:

86-12066

ROBERT M CARSON

PAULA J CARSON

1110 PLEASANT HILL RD

TROY, ID 83871-9695

Point of Diversion SWNE

S24 T40N R03W

LATAH County

Source SURFACE RUNOFF

Tributary DRY CREEK

Point of Diversion SWNE

S24 T40N R03W

LATAH County

Source SURFACE RUNOFF

Tributary DRY CREEK

Point of Diversion NESW

S24 T40N R03W

LATAH County

Source Surface Runoff

Tributary Dry Creek

Use: IRRIGATION FROM STORAGE

04/01 to 10/31 5.8 AF

Use: IRRIGATION STORAGE

01/01 to 12/31 5.8 AF

Use: RECREATION STORAGE

01/01 to 12/31 4.9 AF

Total Diversion: 10.7 AF

Date Filed: 6/13/2019

Place Of Use: RECREATION STORAGE

T40N R03W S24

SWNE SENW NESW NWSE

Place Of Use: IRRIGATION STORAGE

T40N R03W S24

SWNE SENW NESW NWSE

Place Of Use: IRRIGATION FROM STORAGE

T40N R03W S24

SWNE SENW NESW NWSE

AFFIDAVIT OF PUBLICATIONJulie L. Winters, Legal Clerk

being first duly sworn, on oath deposes

and says: I am the printer of

Moscow-Pullman Daily News, a newspaper

of general circulation, published daily

except Sunday at Moscow, Latah County,

Idaho, in compliance with Sections 60-106,

60-107, and 60-108 of the Idaho Code and the

amendments thereto; and an official newspaper

for Whitman County, Washington as required

by R.C.W. 36.72.071 and other provisions of

the Revised Code of Washington and the

amendments thereto: that the notice of which the

annexed is a full, true and correct printed

copy was published in the regular and entire

issues of said newspaper and not in a

supplement thereto, upon the following dates:

July 18th - 25th2019

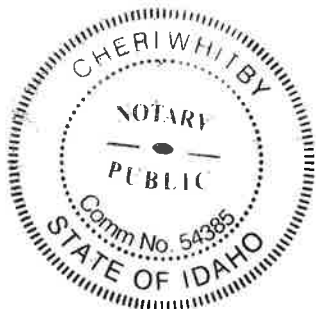
the same being the date designated for
the publication of said notice.

Julie L. Winters

On this 25th day of July
in the year of 2019, before me, a Notary Public,
personally appeared Julie L. Winters,

known or identified to me to be the person
whose name subscribed to the within instrument,
and being by me first duly sworn, declared that
the statements therein are true, and acknowledged
to me that he executed the same.

Cheri Whitby
Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 4/17/24



RECEIVED

JUL 30 2019

IDWR/11111

87-10864

TRIXY GLASGOW
KIPPY SILFLOW
2208 W 50TH AVE
KENNEWICK, WA 99337-4621
Point of Diversion NESE
S16 T39N R05W
LATAH County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 6/12/2019
Place Of Use: DOMESTIC
T39N R05W S16 NESE
87-10865

TRIXY GLASGOW
KIPPY SILFLOW
2208 W 50TH AVE
KENNEWICK, WA 99337-4621
Point of Diversion NESE
S16 T39N R05W
LATAH County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 6/12/2019
Place Of Use: DOMESTIC
T39N R05W S16 NESE
87-10869

CLYDE FARMS LLC
C/O KENNETH CLYDE
1175 ZEITLER RD
MOSCOW, ID 83843-7820
Point of Diversion SENE
S19 T39N R05W
LATAH County
Source GROUND WATER
Use: COMMERCIAL
01/01 to 12/31 0.2 CFS
Use: INDUSTRIAL
01/01 to 12/31 0.2 CFS
Total Diversion: 0.2 CFS
Date Filed: 6/13/2019
Place Of Use: INDUSTRIAL
T39N R05W S19 SENE
Place Of Use: COMMERCIAL
T39N R05W S19 SENE
87-10871

CLYDE FARMS LLC
C/O KENNETH CLYDE
1175 ZEITLER RD
MOSCOW, ID 83843-7820
Point of Diversion SESE
S31 T39N R05W
LATAH County
Source GROUND WATER
Use: INDUSTRIAL
01/01 to 12/31 0.04 CFS
Use: IRRIGATION
03/15 to 10/31 0.04 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.04 CFS
Date Filed: 6/13/2019
Place Of Use: IRRIGATION
T39N R05W S31 SESE
Place Of Use: STOCKWATER
T39N R05W S31 SESE
Place Of Use: INDUSTRIAL
T39N R05W S31 SESE

87-10876

CLYDE FARMS LLC
C/O KENNETH CLYDE
1175 ZEITLER RD
MOSCOW, ID 83843-7820
Point of Diversion L1(NENE)
S6 T38N R05W
LATAH County
Source GROUND WATER
Use: INDUSTRIAL
01/01 to 12/31 0.05 CFS
Use: IRRIGATION
03/15 to 10/31 0.05 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.05 CFS
Date Filed: 5/16/2019
Place Of Use: IRRIGATION
T38N R05W S6
L1(NENE)
Place Of Use: STOCKWATER
T38N R05W S6
L1(NENE)
Place Of Use: INDUSTRIAL
T38N R05W S6
L1(NENE)

87-10888
BRENNAN PROPERTIES NORTH COURT LLC
PO BOX 9221
MOSCOW, ID 83843-1721
Point of Diversion L4(NWNW)
S6 T39N R05W
LATAH County
Source GROUND WATER

Use: DOMESTIC
01/01 to 12/31 0.17 CFS
Use: IRRIGATION
03/15 to 11/15 0.12 CFS
Total Diversion: 0.17 CFS
Date Filed: 6/11/2019
Place Of Use: DOMESTIC
T39N R05W S6
L4(NWNW)
Place Of Use: IRRIGATION
T39N R05W S6
L4(NWNW)

87-10890
DOUG WASANKARI
MELANIE WASANKARI
PO BOX 8867
MOSCOW, ID 83843-1367
Point of Diversion NESE
S19 T39N R05W
LATAH County
Source GROUND WATER
Use: INDUSTRIAL
01/01 to 12/31 0.13 CFS
Use: IRRIGATION
03/15 to 10/31 0.05 CFS
Total Diversion: 0.13 CFS
Date Filed: 6/11/2019
Place Of Use: INDUSTRIAL
T39N R05W S19 NESE
Place Of Use: IRRIGATION
T39N R05W S19
SENE NESE

87-10913
JOHN WILKINSON
JEAN WILKINSON
1210 SPRENGER RD
GENESEE, ID 83832-9557
Point of Diversion SESW
S6 T37N R05W
LATAH County
Source GROUND WATER
Point of Diversion L7(SWSW)
S6 T37N R05W
LATAH County
Source GROUND WATER
Use: IRRIGATION
03/15 to 10/31 0.12 CFS
Total Diversion: 0.12 CFS
Date Filed: 6/11/2019
Place Of Use: IRRIGATION
T37N R05W S6
L7(SWSW) SESW

87-10914
KRISTA KINARD
6801 W FLIGHTLINE BLVD UNIT 19453
SPOKANE, WA 99219-0027
Point of Diversion SWNE
S12 T43N R06W
LATAH County
Source GROUND WATER
Use: IRRIGATION
04/01 to 10/31 0.06 CFS
Total Diversion: 0.06 CFS
Date Filed: 5/28/2019
Place Of Use: IRRIGATION
T43N R06W S12 SWNE
87-10918
TOM WHITACRE
JOANNE WHITACRE
1105 HEADRICK RD
POTLATCH, ID 83855-9646
Point of Diversion SESE
S30 T41N R04W
LATAH County
Source UNNAMED STREAM
Tributary WEST FORK ROCK CREEK
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Total Diversion: 0.03 CFS
Date Filed: 6/12/2019
Place Of Use: IRRIGATION
T41N R04W S30 SESE
87-10938
WILLIAM E BIRD
VICKI J WADE
2508 HIGHWAY 9
PRINCETON, ID 83857-9723
Point of Diversion NWNWNW
S28 T41N R03W
LATAH County
Source SPRING
Tributary SINKS
Use: IRRIGATION FROM STORAGE
04/01 to 10/31 3 AF
Use: IRRIGATION STORAGE
01/01 to 12/31 3 AF
Use: RECREATION STORAGE
01/01 to 12/31 7.8 AF
Use: STOCKWATER FROM STORAGE
01/01 to 12/31 0.7 AF
Use: STOCKWATER STORAGE
01/01 to 12/31 0.7 AF
Total Diversion: 11.5 AF
Date Filed: 6/12/2019
Place Of Use: RECREATION STORAGE
T41N R03W S21 SWSW
T41N R03W S28 NWNW
Place Of Use: IRRIGATION STORAGE
T41N R03W S21 SWSW
T41N R03W S28 NWNW
Place Of Use: IRRIGATION FROM STORAGE
T41N R03W S28 NWNW
Place Of Use: STOCKWATER STORAGE
T41N R03W S21 SWSW
T41N R03W S28 NWNW
Place Of Use: STOCKWATER FROM STORAGE
T41N R03W S28 NWNW
87-10939
GOLDSTEIN TRUST
1010 RANCH RD
MOSCOW, ID 83843-7484
Point of Diversion NENE
S27 T39N R05W
LATAH County
Source UNNAMED STREAM
Tributary SOUTH FORK PALOUSE RIVER
Use: RECREATION STORAGE
01/01 to 12/31 2.8 AF
Use: STOCKWATER FROM STORAGE
01/01 to 12/31 0.4 AF
Use: STOCKWATER STORAGE
01/01 to 12/31 2.8 AF
Total Diversion: 2.8 AF
Date Filed: 6/25/2019
Place Of Use: RECREATION STORAGE
T39N R05W S27 NENE
Place Of Use: STOCKWATER STORAGE
T39N R05W S27 NENE
Place Of Use: STOCKWATER FROM STORAGE
T39N R05W S27 NENE

87-10944
LARRY E PALMER
JILL R PALMER
PO BOX 411
GARFIELD, WA 99130-0411
Point of Diversion NWNESW
S20 T43N R05W
LATAH County
Source SPRING
Tributary SINKS
Use: DOMESTIC
01/01 to 12/31 0.01 CFS
Total Diversion: 0.01 CFS
Date Filed: 6/12/2019
Place Of Use: DOMESTIC
T43N R05W S20 SENW
87-10954
TIM WHITACRE
JOLANDA WHITACRE
PO BOX 169
POTLATCH, ID 83855-0169
Point of Diversion NWNWNE
S31 T41N R04W
LATAH County
Source SPRING
Tributary SINKS
Use: IRRIGATION
04/01 to 10/31 0.06 CFS
Total Diversion: 0.06 CFS
Date Filed: 6/11/2019
Place Of Use: IRRIGATION
T41N R04W S31 NWNE
87-10956
LARRY WOODBURY
PAT WOODBURY
PO BOX 9046
MOSCOW, ID 83843-1546
Point of Diversion SWSW
S27 T40N R05W
LATAH County
Source SURFACE RUNOFF
Tributary PARADISE CREEK
Use: AESTHETIC STORAGE
01/01 to 12/31 4.3 AF
Use: IRRIGATION FROM STORAGE
04/01 to 10/31 1.8 AF
Use: IRRIGATION STORAGE
01/01 to 12/31 1.8 AF
Total Diversion: 6.1 AF
Date Filed: 6/12/2019
Place Of Use: AESTHETIC STORAGE
T40N R05W S27 SWSW
Place Of Use: IRRIGATION STORAGE
T40N R05W S27 SWSW
Place Of Use: IRRIGATION FROM STORAGE
T40N R05W S27 SWSW
87-11019
DAVID K SMITH
DEBORAH ROBINSON-SMITH
4689 HIGHWAY 95 N
MOSCOW, ID 83843-8700
Point of Diversion NWNE
S18 T40N R05W
LATAH County
Source SURFACE RUNOFF
Tributary FOURMILE CREEK
Use: FIRE PROTECTION STORAGE
01/01 to 12/31 1.9 AF
Use: IRRIGATION FROM STORAGE
04/01 to 10/31 1.5 AF
Use: IRRIGATION STORAGE
01/01 to 12/31 1.5 AF
Use: WILDLIFE STORAGE
01/01 to 12/31 1.9 AF
Total Diversion: 3.4 AF
Date Filed: 7/2/2019
Place Of Use: FIRE PROTECTION STORAGE
T40N R05W S18 NWNE
Place Of Use: WILDLIFE STORAGE
T40N R05W S18 NWNE
Place Of Use: IRRIGATION STORAGE
T40N R05W S18 NWNE
Place Of Use: IRRIGATION FROM STORAGE
T40N R05W S18 NWNE

87-11020

EDWIN SALISBURY

CONNIE SALISBURY

400 MILL RD

MOSCOW, ID 83843-8407

Point of Diversion SWSE

S10 T39N R05W

LATAH County

Source UNNAMED STREAM

Tributary SOUTH FORK PALOUSE RIVER

Use: FIRE PROTECTION STORAGE

01/01 to 12/31 5.7 AF

Use: IRRIGATION FROM STORAGE

03/15 to 10/31 9 AF

Use: IRRIGATION STORAGE

01/01 to 12/31 9 AF

Total Diversion: 14.7 AF

Date Filed: 7/8/2019

Place Of Use: FIRE PROTECTION STORAGE

T39N R05W S10 SWSE

Place Of Use: IRRIGATION STORAGE

T39N R05W S10 SWSE

Place Of Use: IRRIGATION FROM STORAGE

T39N R05W S10 SWSE

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Northern Region office at (208) 762-2800. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D'ALENE ID 83815-7763 together with a protest fee of \$25.00 for each application on or before 8/5/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 7/18/2019
and 7/25/2019



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

RECEIVED

JUL 16 2019

IDWR / NORTH

1118 F Street • Lewiston, Idaho 83501 • (208) 799-4370
www.deq.idaho.gov

Governor Brad Little
Director John H. Tippetts

July 15, 2019

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

Subject: Water Right Application #87-11020

Dear Mr. Frederick:

DEQ has received a request for comment on the approval of a water right application to withdraw 14.7 acre feet from an unnamed tributary to the South Fork Palouse River. The applicant has an existing pond and will use the water for fire protection and irrigation. The withdrawals will occur from January 1 through December 31.

The pond is in Township 39N, Range 05W, and Section 10 and South Fork Palouse River assessment unit ID17060108CL002_03. This assessment unit is listed in Category 4a and 4c of Idaho's 2016 Integrated Report as not supporting the beneficial uses of cold water aquatic life and salmonid spawning due to temperature and sediment. DEQ stream monitoring data from this section of the South Fork Palouse River recorded a flow of 0.9 cfs in July, 2013.

Based on the South Fork Palouse River TMDLs and recent flow data, we are concerned that there may not be sufficient flow outside the seasonal high flow period to support the designated beneficial uses, and provide the volume necessary for the TMDL allocations for listed pollutants. We recommend that the legally appropriated withdrawal be made during periods of seasonal high flow or at a minimum, flows greater than 1 cfs. At no time should the stream be allowed to go dry as a result of legally appropriated and allowable water withdrawals.

Thank you for the opportunity to comment on your application. If you have any questions regarding the Idaho Water Quality Standards or the conditions listed above, please contact me at (208) 983-0808, or by email at daniel.stewart@deq.idaho.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel D. Stewart".

Daniel D. Stewart
Water Quality Analyst

c: Edwin and Connie Salisbury, Moscow, ID
Sujata Connell, DEQ