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OCT 03 2011 IDWR / NORTH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
STATEMENT OF COMPLETION
FOR SUBMITTING PROOF OF BENEFICIAL USE

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No: BILL0213
Receipt By: _____
Date Received: 10/13/2011

DEPARTMENT OF
WATER RESOURCES

The Idaho Department of Water Resources considers this form a statement by the permit holder(s) that development of a water right has been completed and that water has been applied to beneficial use to the extent described below. **This form must be accompanied by an examination fee, when necessary, or by a completed Beneficial Use Field Report prepared by a certified water right examiner.** Please refer to the instructions and fee schedule for this form. If ownership of the permit has changed, please contact any Department office or visit the Department's website at: www.idwr.idaho.gov for an Assignment of Permit form. If you wish to relinquish your permit because you have not established the authorized use of the water and are not applying for an extension, please notify the Department in writing.

1. Permit No.: 94-7527 Telephone No.: 208-373-0290

2. Name of Permit Holder(s): Idaho Department of Environmental Quality

3. Mailing Address: 1410 N. Hilton City: Boise

State: ID Zip: 83706 Email: rob.hanson@deq.idaho.gov

4. Source of Water: groundwater If **GROUND WATER** (well), Date Drilled: mo. 6 / yr. 2010

Well Driller: H2O Well Service Drilling Permit Number: D0058158

5. Extent of use(s) completed (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: Industrial

6. Total rate of diversion or storage volume for which proof is submitted: 0.20 cfs OR _____ acre-feet.

7. Compliance with a measuring device requirement, lockable controlling device requirement, and/or other conditions of permit: **Refer to the approval conditions on your permit and respond accordingly. The Department will not issue a license if permit conditions are not met.**

Measuring Device: Is a measuring device required? Yes ☐ No ☒
If yes, has the measuring device been installed? Yes ☐ No ☐

Lockable Controlling Device: Is a lockable device required to control the diversion? Yes ☒ No ☐
If yes, has the lockable device been installed? Yes ☒ No ☐

Other Conditions of Permit: Do the approval conditions on your permit require you to submit additional information in connection with your proof of beneficial use? If yes, list the conditions below and attach documents with the required information.

Completed? Yes ☐ No ☒

8. Fee Enclosed: \$ _____ See fee schedule on back of the instructions for filing proof of beneficial use. Proofs filed without an appropriate fee, will be considered incomplete.

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Terry Harwood Telephone Number: 208-783-2528

Mailing Address: 1005 W. McKinley City: Kellogg

State: ID Zip: 83837 Email: terry.harwood@deq.idaho.gov

The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted and applied to a beneficial use. I understand that any undeveloped portion of the permit is relinquished to the State of Idaho.

Signature of permit holder: Scott M. Peterson Project Coord. Date: 9/20/11
(Include your title, if on behalf of company or organization)

Mail to: Idaho Department of Water Resources, PO Box 83720, Boise, ID 83720-0098

East Mission Flats Repository Water Use

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At the East Mission Flats CERCLA Waste repository the facility includes a wash facility for decontaminating hauling vehicles and heavy equipment used to manage the repository. Maximum wash activity is 150 vehicles per 10 hour day, 4 days per week from June 1 to October 1 each year. Each washing takes about 1-2 minutes, use 1 ½ minutes. Maximum wash volume is 80 gallons.

Total washing time per day is 225 minutes for 12,000 gallons or 53 gallons/minute.

22 week operating season for 88 operating days.

19,800 operating minutes/year.

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FORM 202 7/09

FORM SHOULD BE PRINTED AS A 2 PAGE, SINGLE-SIDED, DOCUMENT

STATE OF IDAHO **IDWR / NORTH**
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. _____

MAILED 1 SEPT 20

1. Name of applicant(s) Idaho Department of Environmental Quality Phone 208-373-0502

Name connector (check one): ☐ and ☐ or ☐ and/or

Mailing address: 1410 N. Hilton City Boise

State ID _____ Zip 83706 Email: _____

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
49 N	1E	33		NW	SW		Kootenai	Groundwater	

4. Water will be used for the following purposes:

Amount 13.8 acre-feet for industrial purposes from 1 Jan to 31 Dec (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

5. Total quantity to be appropriated is (a) _____ cubic feet per second (cfs) and/or (b) 13.8 acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. Water supply well. Water will be diverted by a submersible pump.

b. Height of storage dam NA feet; active reservoir capacity NA acre-feet; total reservoir capacity NA acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12.

c. Proposed well diameter is TBD inches; proposed depth of well is TBD feet.

d. Is ground water with a temperature of greater than 85°F being sought? No

e. If well is already drilled, when? Not drilled/NA; drilling firm NA;

Well was drilled for (well owner) NA; Drilling Permit No. NA.

7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).

8. Description of proposed uses (if irrigation only, go to item 9):

a. Hydropower; show total feet of head and proposed capacity in kW. NA

b. Stockwatering; list number and kind of livestock. NA

c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. NA

d. Domestic; show number of households. NA

e. Other; describe fully. Industrial use associated with remedial action construction activity such as equipment cleaning, dust control, soil compaction and wildfire mitigation.

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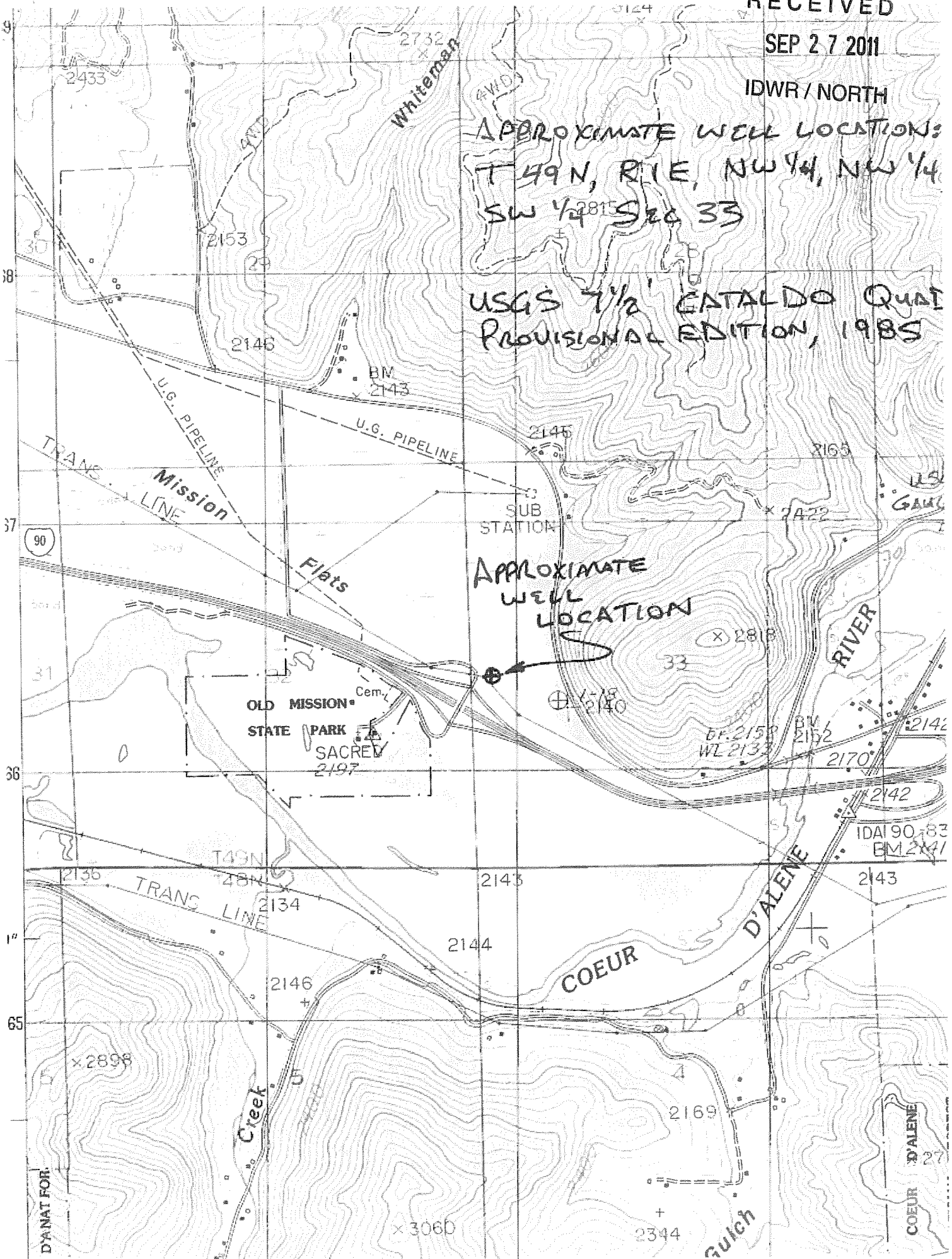
SEP 27 2011

IDWR / NORTH

APPROXIMATE WELL LOCATION:
T 49 N, R 1 E, NW 1/4, NW 1/4
SW 1/4 SEC 33

USGS 7 1/2' CATALDO QUAD
PROVISIONAL EDITION, 1985

APPROXIMATE
WELL
LOCATION





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

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DEC 17 2009

JAN 4 2010

DEQ-Coeur d'Alene
Regional Office

December 15, 2009

EMF WATER RIGHT

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY
1410 N HILTON
BOISE ID 83706

24.6.8

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IDWR / NORTH

RE: Permit No.94-7527

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit 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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

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Also, please note that water right owners are required to report any change of water right 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. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 762-2800.

Sincerely,


Keith E. Franklin

Sr. Water Resources Agent

Enclosure(s)

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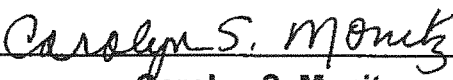
CERTIFICATE OF SERVICE

I hereby certify that on December 15, 2009 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

94-7527

**IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY
1410 N HILTON
BOISE ID 83706**



**Carolyn S. Monitz
Technical Records Clerk**

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DEC 17 2009
Department of Environmental Quality
State Water Quality Programs

Statement of Available Procedures and Applicable Time Limits

**RESPONDING TO PRELIMINARY ORDERS ISSUED
BY THE IDAHO DEPARTMENT OF WATER RESOURCES**
(To be used in connection with actions when a hearing was not held)

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DWR / NORTH

(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.

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State of Idaho IDWR/NORTH
Department of Water Resources
Permit to Appropriate Water
NO. 94-07527

RECEIVED
DEC 17 2009
Department of Environmental Quality
State Water Quality Programs

Priority: September 03, 2009

Maximum Diversion Rate: 0.20 CFS

This is to certify, that IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY
1410 N HILTON
BOISE ID 83706
(208) 373-0502

EMF WATER RIGHT

has applied for a permit to appropriate water from:

Source: GROUND WATER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
INDUSTRIAL	01/01 to 12/31	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER, NW1/4SW1/4, Sec. 33, Twp 49N, Rge 01E, B.M., KOOTENAI County

PLACE OF USE: INDUSTRIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
49N	01E	33																	

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **December 01, 2014**.
2. Subject to all prior water rights.
3. This right does not grant any right-of-way or easement across the land of another.
4. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Coeur d'Alene, this 14th day of December, 2009.


GARY SPACKMAN, Interim Director