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APR 9 8 2010

DEPARTMENT OF
WATER RESOURCES

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

FOR OFFICE USE ONLY
Amt. of Fee \$: 100-
Receipt No. 0090468
Receipt By: SBF
Date Received: 4-9-2010

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.

- Permit No.: 84-12245 Telephone No.: (208) 464-2222
- Name of Permit Holder(s): THE CITY OF PIERCE
- Mailing Address: PO Box 356 City: PIERCE
State: ID Zip: 83546 Email: _____
- Source of Water: SURFACE / OROFINO CREEK If **GROUND WATER** (well), Date Drilled: mo. _____ / yr. _____
Well Driller: _____ Drilling Permit Number: _____
- Extent of use(s) completed (as authorized by the water right permit):
Domestic (No. of households): 385 Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: _____
- Total rate of diversion or storage volume for which proof is submitted: 0.78 cfs OR _____ acre-feet.
- 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.

WATER QUALITY CERTIFICATION / DEQ Completed? Yes ☒ No ☐

- Fee Enclosed: \$100.00 See fee schedule on back of the instructions for filing proof of beneficial use.
Proofs filed without an appropriate fee, will be considered incomplete.

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

Name: James Richards Telephone Number: 208-464-2222
Mailing Address: PO Box 356 City: PIERCE
State: ID Zip: 83546 Email: city of pierce @ qroidaho.net

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: Gary M. Scott, Mayor Date: 4-6-2010
(Include your title, if on behalf of company or organization)

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



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1118 F Street • Lewiston, Idaho 83501 • (208) 799-4370

C.L. "Butch" Otter, Governor
Toni Hardesty, Director

WATER QUALITY CERTIFICATION
NWW -2007-1308-W04
January 14, 2008

ISSUED TO: City of Pierce
P.O. Box 356
404 South Main Street
Pierce, ID 83546

Attention: Mayor Wallace Williams

Description of Certified Project:

The purpose of the project is to construct approximately 2,000 linear feet of 6-inch raw water main, including 45 linear feet of directional drilled pipe, a concrete intake box located at the edge of Orofino Creek, a pump station/wet well equipped with 2-10 HP line shaft turbine pumps, electrical feed and controls for pumps and other appurtenances. Excavations for the new intake structure and new pipe will be performed using standard backhoes and directional drilling equipment. The length of the project along the stream is 400 feet along Orofino Creek and Canal Creek, located at the City of Pierce in Clearwater County. In the Idaho water quality standards, Orofino Creek is included in water body ID 17060306CL039 and is protected for cold water and salmonid spawning aquatic life, and primary contact recreation designated beneficial uses. This section of Orofino Creek is currently listed in Section 3 of the Idaho 2002 Integrated Report as not assessed.

This water quality certification is issued under the authority of Section 401 of the Federal Water Pollution Control Act and its Amendments (Clean Water Act), Idaho Code sections 39-101 through 39-130, 39-3601 through 39-3623 and the Idaho Water Quality Standards and Wastewater Treatment Requirements (Idaho Water Quality Standards) IDAPA 58.01.02. A copy of this required certification has been sent to the Army Corps of Engineers. DEQ hereby certifies pursuant to section 401 of the Clean Water Act that, provided the conditions listed below and the terms of the permit are met, there is a reasonable assurance the proposed project will comply with applicable requirements of sections 301, 302, 303, 306, and 307 of the Clean Water Act and the Idaho Water Quality Standards. The certification holder shall comply with the conditions listed below:

GENERAL CONDITIONS

1. The proposed activity shall be conducted in a manner that will not violate Idaho's Water Quality Standards as set forth in IDAPA 58.01.02.
2. The proposed project shall be constructed in accordance with the approved plan.
3. The certification holder shall notify the DEQ, in writing, upon transferring this responsibility for compliance with these conditions to another person.
4. The new operator shall request, in writing, transfer of this water quality certification to his/her name.

SPECIAL CONDITIONS

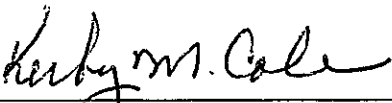
1. Best Management Practices (BMPs) for construction and erosion control shall be implemented to prevent and control the discharge of sediment to Orofino Creek and Canal Creek during construction. The BMPs shall be maintained and monitored for effectiveness. BMPs shall be replaced or augmented if they are not effective. At no time will construction result in an increase of turbidity greater than 50 NTU over background turbidity.
2. Work will be conducted during periods of low stream flow.
3. No uncured concrete shall enter the waterway.
4. The pre-cast concrete intake box shall not constrict the stream channel. No upstream or downstream bank erosion shall occur due to the placement of the inlet box in the stream channel.
5. Equipment should not be fueled nor fluids changed within 100 feet of the creeks. Any equipment operated adjacent to the creeks shall be maintained in a good state of repair and shall have no damaged hoses, fittings, lines, tanks, etc...that release or may release pollutants into the creeks. Waste oil and waste fluids shall not be stored at the site. If any such material is released to the creeks, the responsible person must make an effort to contain the spill and notify our office within 24 hours. If the spill cannot be contained call the Emergency Response System at 1-800-632-8000.

This certification does not relieve the applicant of responsibility for obtaining any other approvals, licenses or permits in accordance with federal, state, or local requirements and does not authorize commencement of the proposed project.

This certification shall be invalid and no longer effective if the proposed activity is not begun within three years of the date of this certification.

This § 401 certification decision may be appealed pursuant to the Idaho Environmental Protection and Health Act, Idaho Code § 39-107(5), the Idaho Administrative Procedure Act and the Rules of Administrative Procedure Before the Board of Environmental Quality, IDAPA 58.01.23. Such an appeal is a prerequisite to any district court action and must be initiated by filing a petition for a contested case in accordance with the Rules of Administrative Procedure before the Board of Environmental Quality (IDAPA 58.01.23) within thirty-five days of the date of this 401 certification.

CERTIFICATION APPROVED



Kerby M. Cole, P.E.
Regional Administrator

Expiration Date: January 14, 2011

KMC/cb

cc: Duane Mitchell, U.S. Army Corps of Engineers, Walla Walla
Terry Nab, P.E., Progressive Engineering