

PROGRESSIVE ENGINEERING GROUP, INC.

1208 Idaho Street
Lewiston, Idaho 83501

Phone (208) 746-5406
FAX (208) 746-9732

RECEIVED
JAN 28 2008
IDWR/North

January 24, 2008

Mr. Keith E. Franklin
Senior Water Resources Agent
State of Idaho Department of Water Resources
7600 N. Mineral Drive, Suite 100
Coeur d'Alene, Idaho 83815

RE: Application for Permit to Appropriate Waters of the State of Idaho
City of Pierce, Idaho

Dear Keith:

Reference your letter dated October 10, 2007 and our letter dated December 3, 2007.

Please accept the following as the City's response to Rules 40.05 (c) through 40.05 (g) as follows:

Water Appropriation Rule 40.05.c.i:

There are currently 48 Water Rights listed for diversion from Orofino Creek. A list of the current Water Rights is enclosed.

Water Appropriation Rule 40.05.c.ii:

The application is for surface water from Orofino Creek. This item is not applicable.

Water Appropriation Rule 40.05.c.iii:

No design, construction, or operation techniques, are planned to be employed to eliminate or reduce the impact on other water rights.

Water Appropriation Rule 40.05.d.i:

For the year of 2007 the City of Pierce produced a total of 85.677 million gallons (262.93 acre-feet). Peak and minimum productions rates for 2007 are listed as follows:

Peak Month: (July) = 9.971 million gallons
Peak Day: (July 25th) = 0.426 million gallons

RECEIVED
JAN 18 2008
IDWR/North

Minimum Month: April = 6.168 million gallons
Minimum Day: June 17th = 0.144 million gallons

The estimated diversion rate during the peak use period is 426,000 gpd and the estimated average diversion rate is 321,645 gpd. The volume to be diverted from Orofino Creek per year is estimated to be 29,913,000 gallons (91.8 acre-feet). The anticipated period of year that water will be required from Orofino Creek is July, August and September. The volume of water from Orofino Creek that will be consumptively used per year is estimated to be 29,913,000 gallons (91.8 acre-feet).

The application for permit to appropriate public waters lists a total quantity to be appropriated as 0.78 cfs and 565 acre feet per annum. These rates are based on anticipated future needs. It is anticipated that future needs will require diversion from Orofino Creek during a longer period of the year. It is requested that diversion from Orofino Creek is approved for the months of January through December.

This request is consistent with comments provided by Thomas Moore, Regional Engineering Manager for the Idaho Department of Environmental Quality Lewiston Region Office. A copy of the comments is enclosed.

Water Appropriation Rule 40.05.d.ii:

The quantity of water available from Orofino Creek is dependent on time of year and location. A gauging station was located on right bank at upstream side of county road bridge, 1.4 mi upstream from Whiskey Creek, 4.7 mi upstream from mouth, and 2 mi southeast of Orofino city limits from October 1981 to September 1982. The maximum observed discharge, was 2,590 cfs on February 21, 1982, and the minimum observed discharge was 26 cfs on September. 9, 1982. There is no known gauging station data for Orofino Creek in the vicinity of the City of Pierce.

United States Geological Survey provides predicted stream statistics for ungaged sites by online program StreamStats available at <http://water.usgs.gov/osw/streamstats/idaho.html>. StreamStats data for Orofino Creek at the City of Pierce predicts a maximum 20-year flow of 376 cfs in the month of May and a minimum 20-year flow of 13.7 cfs in the month of September. StreamStats predicts a mean annual flow of 78.1 cfs. The StreamStats Ungaged Site Report is enclosed.

Water Appropriation Rule 40.05.e.i:

Copies of deeds are enclosed.

Water Appropriation Rule 40.05.e.ii:

A copy of the Joint Application for Permit to Alter Stream Channel is enclosed.

RECEIVED
JAN 28 2008
IDWR/North

Water Appropriation Rule 40.05.f.i:

A current financial statement is enclosed

Water Appropriation Rule 40.05.f.ii:

Plans and specifications along with estimated construction costs are enclosed.

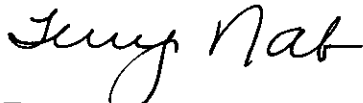
Water Appropriation Rule 40.05.g.:

Letters of comment on the effects of the construction and operation of the proposed project are enclosed.

If you have any questions, or need any additional information, please do not hesitate to call me.

Sincerely,

PROGRESSIVE ENGINEERING GROUP, INC.



Terry W. Nab, P.E.
Principal Engineer

Enclosures (2)

cc: City of Pierce
File No. 07-065