



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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

November 29, 2007

City of Pierce
PO Box 356
404 S Main St
Pierce ID 83546

Re: Joint Application for Permits to Alter a Stream Channel

Dear Mr. Richards:

The Department of Water Resources has reviewed your joint application for permit to alter the channel of Orofino Creek within the NWSW Section 2, T36N R5E, B.M.

The Department has determined that you will not need an approved stream alteration permit for the work since the proposed project is for cleaning, maintenance, construction or repair of a lawful diversion of the waters of Warm Springs Creek. Pursuant to Rule 25 of the Stream Channel Alteration Rules (IDAPA 37.03.07.25.03), no Stream Alteration Permit is required for the work you are proposing. This determination does not imply approval from any other State or Federal Agency and especially the US Army Corps of Engineers.

However, the City does not have a valid water right at this time because you have not responded to the letter dated October 10, 2007 from Keith Franklin of this office. If the department does not receive a response from the City, we will have to start the process of relinquishing the Application due to non-response. Please contact Mr. Franklin if you have any questions regarding this matter.

Thank you for the opportunity to review this project.

Sincerely,

Gregory J. Taylor
Stream Channel Protection Specialist

Cc: Duane Mitchell, ACOE

Progressive Engineering Group
1208 Idaho St
Lewiston ID 83501