



State of Idaho

DEPARTMENT OF WATER RESOURCES

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August 9, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

WALLACE WILLIAMS
MAYOR
CITY OF PIERCE
PO BOX 356
PIERCE ID 83546

Re: Application for Temporary Change of a Water Right – TC-84-01, City of Pierce

Dear Mr. Williams:

Enclosed is a copy of an Order Authorizing Temporary Change. Please note the conditions of approval on the order. Specifically, the approval requires that the applicant shall assume all risk of curtailment or mitigation should the diversion and use of water under the temporary change approval cause injury to other water rights, constitute an enlargement in use of the original right, be inconsistent with the conservation of water resources within the state of Idaho, or not be in the local public interest.

The Department is authorizing the change to divert water from Orofino Creek due to the emergency situation created by drought conditions in the area; however, if the change enlarges the city's water right, there is a potential for injury to other right holders on Orofino Creek. If injury is identified, you may be required to mitigate for the injury or cease diverting water.

The Department advises the city to seek a permanent solution for the water supply if similar circumstances are likely to exist in the future. If injury to other users is identified, the Department will not be able to approve a similar application in the future.

Please feel free to contact the Department if you have questions regarding this matter.

Sincerely,

Jeff Peppersack
Chief, Water Allocation Bureau

Enclosure

c: Bob Haynes, IDWR Northern Region