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WATER RESOURCES DIVISION

P.O. BOX 365 - LAPWAI, IDAHO - (208) 843-7368 - FAX (208) 843-7371

Water Use Permit to Appropriate Tribal Water Rights

No. NLCG2201

Date Filed	Date Fees Processed	Priority (Initial Use)	Date Permit Issued	First Date of Public Notice	Deadline to Request a Hearing	Earliest Date of Construction	Permit Expiration Date
3-28-2022	4-14-2022	4-14-2022	5-25-2022	5-26-2022	7-15-2022	7-15-2022	5-25-2027

THIS IS TO CERTIFY THAT LAPWAI VALLEY WASTEWATER TREATMENT PLANT
 PO BOX 365
 LAPWAI, ID 83540
 208-843-7368

HAS APPLIED FOR A WATER USE PERMIT TO APPROPRIATE WATER USING THE TRIBAL WATER RIGHTS FROM:

Source	Federal Reserved Water Right	County
GROUNDWATER	85-15573	NEZ PERCE

AND A WATER USE PERMIT IS ISSUED FOR DEVELOPMENT OF WATER AS FOLLOWS:

Maximum Diversion Rate	Annual Volume Cap	Beneficial Purpose of Use	Calendar Period of Use
0.04 CFS	0.34 AFY	COMMERCIAL	01-01 TO 12-31

Location of Point(s) of Diversion					
Twp 36N	Rge 04W	Sec 22	GOV'T LOT 13	SE ¼	SE ¼

Location of Place(s) of Use					
Twp 36N	Rge 04W	Sec 27		NE ¼	NE ¼

Authorized Diversion Works
10" diameter groundwater well from the deep regional basalt aquifer in the Grande Ronde Formation

SUBJECT TO ALL CONDITIONS ON PAGE 2:

CONDITIONS

1. The Permittee is required to comply with the provisions of §3-3, Nez Perce Tribal Water Rights Administration Code.
2. Subject to all prior water rights to ensure persons lawfully diverting water prior to April 20, 2004 will continue to receive their full legal entitlement under state law. Subject to all water use permits, unless special agreements have been made to provide for a temporary change of water allocation priority as described in §3-3-10(d).
3. Construction of the authorized diversion works shall be no less protective of the groundwater resource than is state law governing the use of aquifers, including those state laws restricting the depletion of groundwater resources and the lowering of the pumping level of other groundwater users.
 - a. The WRD recommends the well is cased and sealed into the geologic formation that confines the regional aquifer.
 - b. The WRD recommends the well is cased and sealed in a manner that prevents comingling of water between shallow perched aquifers in the basalt flows and sedimentary interbeds of the Wanapum and Saddle Mountain Formations.
4. This Water Use Permit constitutes a right of entry for Water Resources Division (WRD) personnel to the entire location of permitted water use, for purposes of inspection, monitoring, and enforcement.
5. Any Water Use Permit to pump or divert more than 25 gallons per minute shall require the installation and maintenance of a flow rate and total use metering system, at the Permittee's expense.
6. No construction of diversion works or diversion of water or other alteration of any water source, is allowed until the expiration of the later date of either: (1) 7-15-2022, if no objection to the Water Use Permit has been filed; or (2) final resolution of any objection to the Water Use Permit pursuant to a hearing pursuant to §3-3-13, including any subsequent appellate process on such objection.
7. Proof of application of water to beneficial use shall be submitted on or before **May 25, 2024**. Permittee will work with WRD personnel to report water use for the duration of this Water Use Permit.
8. Subject to all conditions specified in the Well Drilling Permit. The Permittee has left the Construction Start Date and Well Drilling Company sections left blank until a well driller can be solicited via bid. The Well Drilling Permit shall not be finalized until the Construction Start Date and Well Drilling Company sections have been completed.
9. The annual diversion volume for the commercial use authorized under this permit shall not exceed 0.34 acre-feet.
10. Commercial use is to supply water for staff at the Lapwai Valley Wastewater Treatment Plant for flushing toilets, washing, bathrooms, break rooms, and drinking water.
11. The WRD may revoke a Water Use Permit for any of the reasons described in §3-3-11 (j), including:
12. The WRD shall notify the Permittee of the impending revocation as described in §3-3-11 (k).
13. The WRD is authorized to take appropriate action related to a Water Use Permit, including the following:
 - a. Inspect, monitor, and investigate water use, permit compliance, and any other activities affecting Tribal water rights or the provisions and/or purposes of §3-3.
 - b. Issue warnings, stop work orders, abatement orders, compliance orders, stop use orders, permit revocations, and take any other action necessary to carry out the purposes and/or provisions of §3-3.
 - c. Remove, render inoperative, shut down, close, seal, cap, or otherwise control methods of water diversion, withdrawal, or use, in order to carry out the purposes and/or provisions of §3-3.

This water use permit is issued pursuant to the provisions of Chapter 3-3, Nez Perce Tribe Code.

Signed this 25 day of May, 2022.



Ken Clark

Nez Perce Tribe Water Resources Division Director

Nez Perce Tribe
Water Resources Division

Proposed Water Use Permit



COMMERCIAL

This map shows the place of use for the water use listed above and point(s) of diversion of this water use permit as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Any discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water use permit documents in the water use permit file.



- ⊙ Proposed Point of Diversion
- ▭ Section
- ▭ Proposed Place of Use
- ▭ Quarter Quarter and Other
- ▭ Township/Range
- ▭ Tribal Trust

