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Nez Perce

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

APPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION

Name of Applicant _____ Phone _____

Address _____ Email _____

- 1. Source of water _____ Tributary to _____
- 2. Location of point of diversion _____ 1/4 _____ 1/4 Sec. _____ Township _____, Range _____
B.M., County _____.
- 3. Location of place of use _____ 1/4 _____ 1/4 Sec. _____ Township _____, Range _____
B.M., County _____.

4. Proposed use of water

5. Total volume of water: _____ AF Maximum daily volume: _____

Maximum rate of diversion _____ cfs or _____ gpm.

6. Duration of diversion: From _____ to _____

7. Proposed diverting works _____

8. Who owns the property at the requested point of diversion?

9. Describe the arrangement allowing access to the water

10. Remarks

I hereby acknowledge that I assume all risk of the diversion and use of the water under this approval. I certify this is a temporary use and that I am not seeking a continuing right to use water.

Date

Applicant

ACTION OF THE DIRECTOR, NEZ PERCE WATER RESOURCES DIVISION
REGARDING APPLICATION FOR
TEMPORARY APPROVAL OF WATER APPROPRIATION
(2 AF or less)

Pursuant to Nez Perce Treaty of June 11, 1855, and the Snake River Water Rights Act of 2004, the Nez Perce Tribe holds decreed water rights and the authority to administer all of its water rights. In order to protect Nez Perce water resources from over appropriation while encouraging development of water use consistent with the values and interests of the Nez Perce Tribe, the Tribe authorizes the temporary diversion and use of two acre-feet or less of water for beneficial uses and subject to certain conditions.

This is to certify that the WRD has examined this application for temporary approval to appropriate Tribal water under the provisions of the Snake River Water Rights Act of 2004, and has determined that:

_____ (initials) The application should be DENIED.

_____ (initials) The application should be APPROVED because

1. The temporary approval can be properly administered.
2. The approval is in the interest of the Nez Perce Tribe.
3. The approval will not injure known Tribal values associated with the water source.

This application is hereby:

_____ (initials) DENIED

_____ (initials) APPROVED, subject to the following conditions:

1. This temporary approval of water use is encompassed by the decreed water rights of the Nez Perce Tribe, which hold a priority date of June 11, 1855. Diversion and use of water from the mainstem Clearwater River or the mainstem North Fork, Middle Fork or South Fork Clearwater Rivers are subject only to the Nez Perce Tribe's water rights and to water uses in those rivers authorized by the Nez Perce Tribe. If this diversion is from a stream or creek tributary to those named rivers, then diversion and use of water under this approval shall not injure water rights lawfully in existence prior to April 20, 2004.
2. The applicant assumes all risk that the use of water under this approval may injure other water rights.
3. This approval authorizes the maximum diversion of _____ AF and a maximum rate of diversion of _____ cfs

4. This approval does not grant a right-of-way or easement across the land of another, does not create a continuing right to use the water, and may not be used in connection with a use that requires a continuing water supply.
5. WRD may revoke this approval at any time if WRD identifies injury to other water rights or the interests of the Nez Perce Tribe.
6. This approval expires on _____
7. The holder of this temporary approval shall not divert at a rate or in a manner that will significantly reduce flow in the water source or otherwise adversely affect fish, wildlife, or other Tribal values.
8. Other _____

Date _____

Signature _____