

TP-91-041

Received by Dianne Date 8/3/07 Time 12:00 Noon

\$50.00 fee receipted by Dianne # NO18600 Date 8/3/07

Watermaster Comments received? \_\_\_\_\_ Date \_\_\_\_\_

### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that the department has examined this application for temporary approval to use water under the provisions of Section 42-202a, Idaho Code, and has determined that:

- ☐ a) The application for temporary approval should be denied.
- ☒ b) The application for temporary approval should be approved, since
1. The temporary approval can be properly administered.
  2. Other water sources are not readily available.
  3. The approval is in the public interest.
  4. The approval will not injure known public values associated with the water source or any known water rights.

This application is therefore hereby:

- ☐ a) DENIED
- ☒ b) APPROVED, subject to the following conditions:
1. Diversion and use of water under this approval is subject to all valid existing water rights.
  2. The applicant assumes all risk the use of the water under this approval may injure other water rights.
  3. This approval authorizes a maximum diversion of 0.055 AF and a maximum rate of diversion of 0.11 cfs.
  4. This approval does not grant a right-of-way 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 which requires a continuing water supply.
  5. The department may cancel this approval at any time if the department identifies injury to other water rights.
  6. This approval expires on 8/6/07.
  7. This approval does not create a continuing right to use water.
  8. The holder of this temporary permit shall not divert at a rate or in a manner that will significantly reduce the flow in the water source or otherwise adversely affect fish, wildlife or other public values.
  9. Other: Water intakes should be screened to prevent entrainment or impingement of fish or other aquatic life. The maximum screen mesh size should be 0.25 inches; approach velocities should not exceed 0.5 ft/second.
  10. Contact the DEPARTMENT OF WATER RESOURCES prior to diversion of water from streams.

DATED this 3 day of August, 2007

Robert G. Haynes

For the Director

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION**

(5 AF of less)

- Name of Applicant Forest Capital Partners Phone 208 245-4589
- Address 5 Riverdale Dr, ST Maries ID 83861
1. Source of water ST Joe River Tributary to Lake Coeur d'Alene
2. Location of point of diversion SW 1/4 NE 1/4 Sec. 17 Township 45N Range 5E B.M.,  
County Shoshone 45N 5E
3. Location of place of use Multiple sections 1/4 Sec. \_\_\_\_\_ Township 46N Range 6E B.M.,  
County Shoshone 47N 6E
4. Proposed use of water Vegetative Management Chemical  
Spraw w Wilbur Ellis
5. Amount of water:  
Maximum rate of diversion 50 gal/min or \_\_\_\_\_ gpm.  
Maximum daily volume 1000 gal AF; Total volume 18,000 gal = 0.055 AF
6. Duration of diversion: From 8/1/07 to 8/20/07  
Day-month Day-month
7. Proposed diverting works \_\_\_\_\_
8. Who owns the property at the requested point of diversion? Forest Capital Partners
9. Describe the arrangement allowing access to the water There is a Boat launch  
used by Fishermen on our property that you  
can back down to the water to fill.
10. Remarks I need ASAP.

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

8/1/07  
Date

Douglas A. Nelson  
Applicant  
Forester







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](http://www.idwr.idaho.gov)

08/07/2007

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Director

FOREST CAPITAL PARTNERS  
5 RIVERDALE DR  
ST MARIES ID 83861

RE: Temporary Permit No. TP-91-04

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-91-04.

Please be advised that THE PERMIT IS SUBJECT TO THE EFFECTIVE DATES AND CONDITIONS STATED ON PAGE TWO OF THE APPLICATION.

If you have any questions or if this office can be of further assistance, please contact us.

Sincerely,

Robert G. Haynes, P.E.  
Regional Manager

Enclosure

8/1/07

Many at Fish & Game  
gave their verbal OK  
to this to me.

KJ