



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

**Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815**

**Phone: (208) 762-2800 FAX: (208) 762-2819 [www.idwr.idaho.gov](http://www.idwr.idaho.gov)**

**C.L. "BUTCH" OTTER**  
Governor

**GARY SPACKMAN**  
Director

November 18, 2013

IDAHO TRANSPORTATION DEPT  
BILL CAPAUL P G  
600 W PRAIRIE AVE  
COEUR D ALENE ID 83815-8764

RE: Temporary Permit No. TP-92-06

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-92-06.

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

The Idaho Department of Fish & Game (IDFG) now requires a Special Use Permit if their property is to be used for a point of diversion. IDFG contact person is Mary Terra-Berns at 208-769-1414.

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

Sincerely,

A handwritten signature in blue ink that reads "Keith E. Franklin". The signature is written in a cursive, flowing style.

Keith E. Franklin  
Program Manager

Enclosure Copy of TP-92-06

IDWR / NORTH

## APPLICATION FOR TEMPORARY APPROVAL OF WATER APPROPRIATION

(For a use not intended to become an established water right, not to exceed a total diverted volume of five (5) acre-feet, and not to exceed one (1) year duration in accordance with Section 42-202A, Idaho Code.)

Name of applicant: Idaho Transportation Dept. Phone: 208-772-1200  
Mailing address: 600 W. Prairie Ave. City: Coeur d'Alene  
State ID ZIP 83815-8764 Email: bill.capaul@itd.idaho.gov  
1. Source of water: St. Joe River tributary to Cd'A Lake

2. Location of point(s) of diversion:

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #
46N	02W	23		SE	NW	SW	Benewah	St Joe River	

3. Location of place of use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
46N	02W	23									X	X	X						

4. Describe proposed use of water Appropriated water to be used as drilling fluid during foundation investigation drilling.  
Drilling to be conducted near the existing SH-3 Bridge over the St Joe River and over the St Maries River RR.  
Intermittent use during the period described below.

5. Amount of water:

Maximum rate of diversion \_\_\_\_\_ cfs or 35 gpm.

Maximum daily volume 0.012 AF; total volume 0.25 AF.

6. Duration of diversion: from November 18, 2013 (day-month) to March 31, 2014 (day-month).

7. Describe proposed diverting works: Shore located portable pump or drill mounted pump with 0.25" screen and foot-valve.

8. a. Who owns the property at the requested point of diversion? State of Idaho - ITD R/W

b. Who owns the land to be irrigated or place of use? Same

c. If the property is owned by a person other than the applicant, describe the arrangement allowing access to the water:

9. Additional remarks: Administrative Basin 91; spill protection on-site; pump only used during drilling hours, typically Monday thru Friday, 0600 -1600 hrs.

Drilling Contacts; Bill Capaul, District Geologist 208-772-1211 or Dan Boston, Driller 208-772-1257

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.

Bill Capaul  
Signature of applicant

11/14/2013  
Date

Received by db Date 11/15/13 Time \_\_\_\_\_

\$50.00 fee receipted by inter-agency bill # \_\_\_\_\_ Date \_\_\_\_\_

Watermaster comments received? \_\_\_\_\_ Date \_\_\_\_\_

TP-92-06

## ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

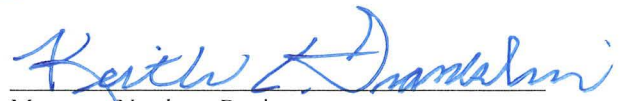
This is to certify that the department has examined this application for temporary approval to use water under the provisions of Section 42-202A, Idaho Code, and has determined that:

- ☐ 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 0.15 AF and a maximum rate of diversion of 0.08 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 does not create a continuing right to use water.
  7. 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.
  8. 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.
  9. The Idaho Department of Fish & Game (IDFG) now requires a Special Use Permit if their property is to be used for a point of diversion. IDFG contact person in Coeur d'Alene is Mary Terra-Berns @ 208-769-1414, and in Lewiston is Ray Hennekey @ 208-799-5010.
  10. This approval expires on 12/31/13, 2013.

Signed this 18 day of November, 2013.

  
Manager, Northern Region  
For the Director



## Ball, Dianne

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**From:** Ball, Dianne  
**Sent:** Friday, November 15, 2013 2:15 PM  
**To:** Sutcliffe, Lorna  
**Cc:** Franklin, Keith  
**Subject:** Inter-agency billing request from ITD  
**Attachments:** ITD\_request\_inter-agency\_billing.pdf

Good afternoon, Lorna,

Attached is a request for interagency billing from Idaho Transportation Dept, together with a copy of the application for a temporary water right.

The contact is Jenny Klein – info on letter from ITD.

The fee for a temporary water right permit is \$50.00, and our PCA code for water right fees is 65103, if I remember correctly.

If you need any other information, let me know.

When you bill this please let me know the billing number BILLXXX (?) – and also please notify me when the funds are received from ITD.

Thanks very much, and have a great weekend.

*Dianne Ball*

Administrative Assistant  
Idaho Department of Water Resources  
7600 N Mineral Dr., Ste. 100  
Coeur d'Alene, ID 83815  
208-762-2800 Fax 208-762-2819



**IDAHO TRANSPORTATION DEPARTMENT**

600 W. Prairie Ave.  
Coeur d'Alene, ID 83815-8764

(208) 772-1200  
itd.idaho.gov

November 14, 2013

RECEIVED

Mr. Keith Franklin  
Department of Water Resources  
7600 N Mineral Drive, Suite 100  
Coeur d'Alene, ID 83815

NOV 15 2013

IDWR / NORTH

RE: Basin 95 Temporary Appropriation Application

Dear Mr. Franklin;

Enclosed is the completed Form 202a, *Application for Temporary Approval of Water Appropriation*. The request is for the taking of water from the St. Joe River beneath Highway 3 at St. Maries. The purpose of the application is to provide drilling water during the foundation investigation of a proposed replacement of the SH-3 Bridge over the St. Joe River and the St. Maries River Railroad Bridge near this location.

Please provide interagency billing information to:

Jenny Klein, TRS  
Idaho Transportation Department  
600 W. Prairie Ave.  
Coeur d'Alene, ID 83815-8764  
208-772-1204  
jenny.klein@itd.idaho.gov

I appreciate your expediting this request as the forthcoming cold weather will eliminate our planned source of water from the city of St. Maries.

Sincerely,

A handwritten signature in blue ink that reads "Bill".

Wm. Capaul, P.G.  
District One - Geologist  
Coeur d'Alene, ID 83815-8764  
208.772.1211 voice  
bill.capaul@itd.idaho.gov