



**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)**

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

**GARY SPACKMAN**  
Director

03/11/2013

C. L. HEILMAN COMPANY INC  
2012 CANYON DR  
COEUR D ALENE, ID 83815

RE: Temporary Permit No. TP-92-05

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-92-05 .

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,

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 Permit TP-92-05

Basin 92

RECEIVED

Form 202A 04/12

FEB 27 2013

ID No.

TP-92-05

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

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: C.L. Heilman Company Inc Phone: 208-660-7700  
 Address: 2012 Canyon Dr CDA, ID 83815 Email: james@clheilman.com  
 1. Source of water: St. Maries River tributary to Lake Coeur d'Alene

2. Location of point(s) of diversion:

TWP	RGE	SEC	GOVT LOT	1/4	1/4	1/4	County	Source	Local name or tag #
44N	01W	8		SW	NW		Benewah	St. Maries River	

3. Location of place of use: Same as point of diversion.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

4. Describe proposed use of water: Construction activities ITD Project A009(769)  
Wedge milling, saw cutting, dust control.

5. Amount of water:

Maximum rate of diversion \_\_\_\_\_ cfs or 20 gpm.Maximum daily volume 0.0015 AF; total volume 0.0153 AF.

6. Duration of diversion: from 7 May 2013 to 1 Oct. 2013  
 Day-month Day-month

7. Describe proposed diverting works: 2" Honda pump with screened pick-up line.8. a. Who owns the property at the requested point of diversion? ITDb. Who owns the land to be irrigated or place of use? ITD

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

C.L. Heilman Company is under contract with ITD

9. Additional remarks: Total water use will be less than 5000 gal.  
ESCP in place.

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.

Signature of applicant [Signature]

Date

2/27/13Received by [Signature]

Date

2/27/13

Time

\$50.00 fee received by [Signature]

#

N029664

Date

2/27/13

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 0.093 AF and a maximum rate of diversion of 0.05 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. 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.
9. This approval expires on 10/1/2013.

Signed this 11 day of March, 2013.

Keith A. Frankham  
For the Director





**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)

C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

February 28, 2013

MARY TERRA BERNES  
IDAHO DEPARTMENT OF FISH & GAME  
2885 KATHLEEN AVE.  
COEUR D'ALENE, ID 83815

Re: Application For a Temporary Approval of a Water Appropriation

Dear MARY:

The Department of Water Resources is seeking comment and/or recommendation from your agency, regarding an application to temporarily appropriate 0.0153 acre-feet of water from the St. Maries River, for construction purposes, by C.L. Heilman Company, Inc. A copy of the application is attached for your reference.

Would you please submit your comments no later than March 7, 2013? If we do not hear from you by that date, we will assume that no comment from you means you have no objection to, concerns about, or conditions pertaining to the issuance of this permit.

You may send comments by regular mail to the above address, by FAX to 208-762-2819 or by e-mail to [keith.franklin@idwr.idaho.gov](mailto:keith.franklin@idwr.idaho.gov).

If you have any questions, don't hesitate to contact me at this office.

Thank you.

Sincerely,

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

Keith E Franklin  
Program Manager, Northern Region

Encl/kf

*No comments received  
as of 3/11/13.  
KE*

## Franklin, Keith

---

**From:** Franklin, Keith  
**Sent:** Thursday, February 28, 2013 10:38 AM  
**To:** 'mary.terra-berns@idfg.idaho.gov'  
**Subject:** Application For Temporary Water Appropriation  
**Attachments:** DOC074.pdf

Mary,

Attached is an application for a temporary water appropriation from the St. Maries River for your review and comment. If you have any questions, don't hesitate to give me a call.

Thanks.

Keith.