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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

July 22, 2013

APOLLO INC  
1133 W COLUMBIA DR  
KENNEWICK WA 99336

RE: Temporary Permit No. TP-94-141

Dear Applicant(s):

Your application for Temporary approval of Water Appropriation has been granted and assigned number TP-94-141 .

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".

Keith E. Franklin  
Program Manager

Enclosure Copy of TP-94-141

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JUL 11 2013

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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

ID No. TP-94-141

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: Apollo, Inc. Phone: 509-586-1104Address: 1133 West Columbia Drive, Kennewick, WA 99336 Email: twelch@apollo-gc.com1. Source of water: 1. Cave Lake 2. Coeur d'Alene River tributary to 2. Lake Coeur d'Alene

2. Location of point(s) of diversion:

TWP	RGE	SEC	GOVT LOT	¼	¼	¼	County	Source	Local name or tag #
47N	2W	4	5				Kootenai	Cave Lake	
48N	2W	5	7				Kootenai	Coeur d'Alene River	

3. Location of place of use: SH-3, Milepost 103.149 to Milepost 111.380

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
47N	2W	3/4/5																	
48N	1/2W	13/23																	

4. Describe proposed use of water Water use is intended for construction purposes on the SH-3, Swan Creek to CDA River Bridge project from MP 103.149 to MP 111.380. Water will be used for dust abatement, cement recycled asphalt base stabilization, and compaction.

5. Amount of water:

Maximum rate of diversion 0.58 cfs or 260 gpm.Maximum daily volume .01923 AF; total volume 5.0 AF.6. Duration of diversion: from 07/22/2013 to 07/22/2014  
Day-month Day-month7. Describe proposed diverting works: A 4" or 6" pump will be used to fill water truck8. a. Who owns the property at the requested point of diversion? State of Idahob. Who owns the land to be irrigated or place of use? State of Idaho

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

9. Additional remarks: Water intakes will be screened to prevent entrainment of impingement of fish or other aquatic life. The maximum screen mesh size will be 0.25 inches and approach velocities will not exceed 0.5 ft/second.

**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

07/10/2013

Date

Received by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

\$50.00 fee receipted by N Steading # N0299916 Date 7-11-13

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 5 AF and a maximum rate of diversion of 258 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 12/31/13.

Signed this 22 day of July, 2013.

Keith L. Hawkins  
For the Director

## Franklin, Keith

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**From:** Franklin, Keith  
**Sent:** Thursday, July 11, 2013 10:35 AM  
**To:** 'Terra Berns,Mary'  
**Subject:** Temporary Water Appropriation Permit, Apollo, Inc.  
**Attachments:** DOC008.pdf

Mary,  
Attached is an application to temporarily appropriate water for road construction purposes from Cave Lake and the Coeur d'Alene River by Apollo, Inc. for your review and comment.  
If you have any questions, don't hesitate to give me a call.  
Thanks.  
Keith.





State of Idaho

## DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

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C. L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Interim Director

July 11, 2013

MARY TERRA BERNIS  
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 5.0 acre-feet of water from Cave Lake and the Coeur d'Alene River, for road construction water, by Apollo, Inc. A copy of the application is attached for your reference.

Would you please submit your comments no later than July 18, 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,

Keith E Franklin  
Program Manager, Northern Region

Encl/kf

*No comments received  
as of 7/22/13.  
KF*