

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-10029
Date Received: 10/18/1988
Receipt No: E003255
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ASH GROVE CEMENT COMPANY 503-293-2312
Address: 6720 SW MACADAM AVE
SUITE 300
PORTLAND OR 97219-2312

2. Date of Priority: SEP 1, 1928

3. Source: PORTNEUF RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	36E	21	SW	SW	SE		BANNOCK

5. Description of diverting works:
PORTABLE PUMP WITH 50 H.P. MOTOR AND 6" INTAKE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
INDUSTRIAL	01/01	12/31	0.310		

7. Total Quantity Appropriated is:
0.310 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
I/ USES RELATED TO MAINTENANCE AND OPERATION OF CEMENT PLANT.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	36E	21	SW	SE		INDUST	
		28	NW	NE		INDUST	
			NE	NW		INDUST	

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	36E	28	SE	NW		INDUST	

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
29-04069

14. Remarks:

WATER IS USED FOR DUST ABATEMENT ON ROADS BETWEEN MAIN PLANT AND QUARRY AND ALSO IN THE MANUFACTURING PROCESS.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____ **MICROFILMED**

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IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

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Ident. Number: A29-10029
Date Received: 10/18/1988
Receipt No: E003255
Received By: ELC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ASH GROVE CEMENT WEST, INC. 208-775-3351
Address: 150 CEMENT RD.
INKOM, ID 83245

2. Date of Priority: SEP 01, 1928

3. Source: PORTNEUF RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	36E	21	SW	SW	SE		BANNOCK

5. Description of diverting works:
PORTABLE PUMP WITH 50 H.P. MOTOR AND 6" INTAKE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
INDUSTRIAL	01/01	12/31	0.310		

7. Total Quantity Appropriated is:
0.310 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
I/ USES RELATED TO MAINTENANCE AND OPERATION OF CEMENT PLANT.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	36E	21	SW	SE		INDUST	
		28	NW	NE		INDUST	
			NE	NW		INDUST	

A29-10029

Page 1

Date: 10/18/88

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A2910029



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	36E	28	SE	NW		INDUST	

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
29-04069

14. Remarks:

WATER IS USED FOR DUST ABATEMENT ON ROADS BETWEEN MAIN PLANT AND QUARRY AND ALSO IN THE MANUFACTURING PROCESS.

15. Basis of Claim: BENEFICIAL USE

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not ~~/~~ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

For Organizations:

foregoing document are true and correct.

OCT 17 1988
Date

Ernest Carlson
Notary Public

My Commission Expires 14 June 1994

42230 AIRS

SCALE

A29-10029

45610-01

Portable Pump

Q 115
4520

20 21
29 28

21 22
28 27

NW $\frac{1}{4}$ NW $\frac{1}{4}$

NE $\frac{1}{4}$ NW $\frac{1}{4}$

NE $\frac{1}{4}$ NE $\frac{1}{4}$

NE $\frac{1}{4}$ NE $\frac{1}{4}$

NW $\frac{1}{4}$

4619.7

4621

40.0

40.0

40.0

SW $\frac{1}{4}$ NW $\frac{1}{4}$

SE $\frac{1}{4}$ NW $\frac{1}{4}$

SW $\frac{1}{4}$ NE $\frac{1}{4}$

SE $\frac{1}{4}$ NE $\frac{1}{4}$

SW $\frac{1}{4}$

40.0

40.0

40.0

NW $\frac{1}{4}$ SW $\frac{1}{4}$

NE $\frac{1}{4}$ SW $\frac{1}{4}$

NW $\frac{1}{4}$ SE $\frac{1}{4}$

NE $\frac{1}{4}$ SE $\frac{1}{4}$

NW $\frac{1}{4}$ SE

40.0

40.0

40.0

SW $\frac{1}{4}$ SW $\frac{1}{4}$

SE $\frac{1}{4}$ SW $\frac{1}{4}$

SW $\frac{1}{4}$ SE $\frac{1}{4}$

SE $\frac{1}{4}$ SE $\frac{1}{4}$

SW $\frac{1}{4}$

40.0

40.0

29 28
32 33

28 27
33 34

NW $\frac{1}{4}$ N

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SW $\frac{1}{4}$ N

ASH GROVE CEMENT COMPANY

February 10, 1995

WESTERN REGION
230 CEMENT ROAD
INKOM, IDAHO 83245-1543
PHONE 208 / 775-3351
FAX 208 / 775-3509

RECEIVED

FEB 13 1995

Department of Water Resources
Eastern District Office

Dave Carlson
Water Right Agent, Adjudications
Department of Water Resources
900 Skyline Dr.
Idaho Falls, Idaho 83402-1718

Dear Mr. Carlson:

In establishing evidence for our two claims A29-10029 and A29-04069 the following documents are provided for our claimed priority dates.

A29-10029 A signed affidavit is enclosed which states that in 1928 water was pumped directly out of the Portneuf River and used for the production of Portland Cement.

A29-04069 A copy of an audit report is enclosed which states that well equipment was present during 1929.

If you need any additional information concerning these dates please do not hesitate to call me at (208) 775-3351.

Sincerely,

Barbara Beagles

Barbara Beagles
Environmental/Safety Coordinator
Ash Grove Cement Co.

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ASH GROVE CEMENT COMPANY

February 10, 1995

WESTERN REGION
230 CEMENT ROAD
INKOM, IDAHO 83245-1543
PHONE 208 / 775-3351
FAX 208 / 775-3509

RECEIVED

FEB 13 1995
Department of Water Resources
Eastern District Office

Dave Carlson
Water Right Agent, Adjudications
Department of Water Resources
900 Skyline Dr.
Idaho Falls, Idaho 83402-1718

RE: Personal affidavit establishing water priority rights for Ash Grove Cement Company.

Dear Mr. Carlson:

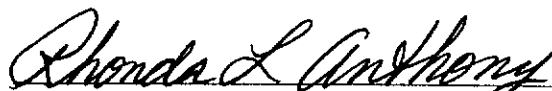
During my employment with Idaho Portland Cement and Oregon Portland Cement (now Ash Grove Cement Company), I witnessed that prior to the installation of the first well in 1929 we pumped water out of the Portneuf River to supply our process with the necessary water. The date in which we pumped water out of the river would have been during the year of 1928.

Sincerely,


Mr. Frank Whitworth

On this tenth day of February, 1995, before me, Rhonda Anthony a Notary Public, personally appeared, Frank Whitworth, to me personally known, who being duly sworn, acknowledged to me that they executed the within instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal, the Day and Year first above written.



Notary Public Residing at McCammon, Idaho
My Commission Expires 2-10-96

NOV 13 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

FEBRUARY 13, 1992

ASH GROVE CEMENT COMPANY
6720 SW MACADAM AVENUE SUITE 300
PORTLAND OR 97219-2312

RE: CHANGE IN OWNERSHIP FOR A25-07306, A29-10029,
A29-07076, AND A29-04069

Dear Sirs:

The request for Change in Ownership concerning your Notices of Claim in the above reference has been processed and the Notices modified to reflect you as the new owner.

Enclosed are typed Notices with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Dave Carlson
Water Rights Agent, Adjudication

DC:jt

Enclosure

File: "p"

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NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED
FEB 10 1992

Department of Water Resources

DATE OF CLOSING: _____

See attached legal descriptions.

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A25-07306, A29-10029, A29-07076, and A29-04069
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Ash Grove Cement West, Inc.
6720 S.W. Macadam Avenue - Suite 300
Portland, Oregon 97219-2312
- ☐ New Owner/Claimant (Purchaser): Ash Grove Cement Company
- ☐ New Mailing Address: 6720 S.W. Macadam Avenue - Suite 300
Portland, Oregon 97219-2312
- ☐ New Telephone Number: (503) 293 - 2333
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes XX no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s): ASH GROVE CEMENT COMPANY
John H. Ross III, Vice President Date 12/31/91
- ☐ Signature of Former Owner/Claimant(s): ASH GROVE CEMENT WEST, INC.
George M. Wells, President Date 12/31/91

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed: _____
Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any: _____

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

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