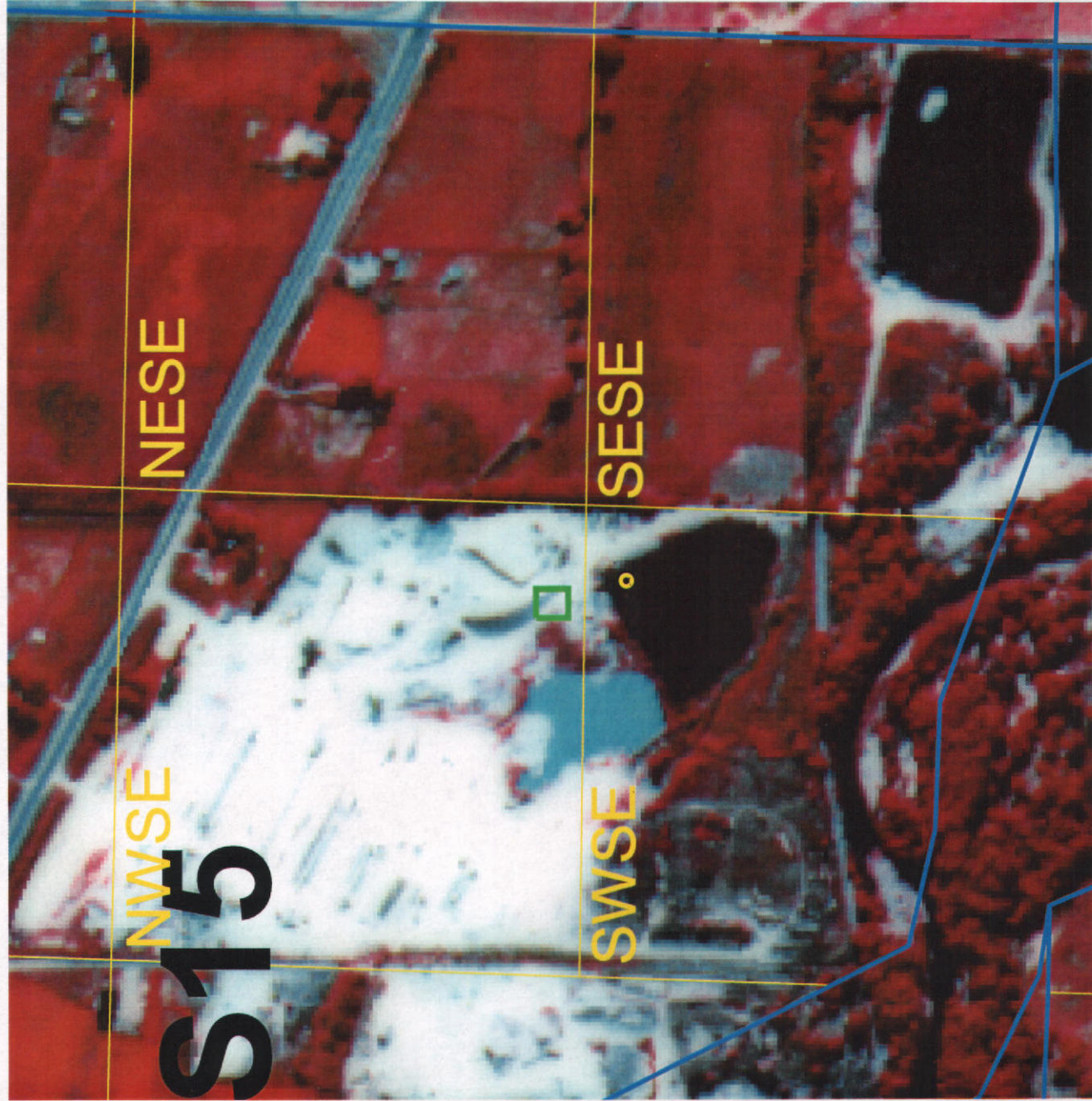


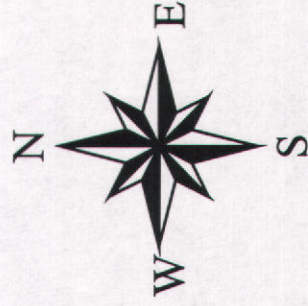
Idaho Department of Water Resources



T04N, R01E,
S15

Claim No: 63-15014
Prepared By: Kimberly Brown
Date: August 19, 2004

- Point of Diversion
- Place of Use
- Section Lines
- 1/4 1/4



1987 NAPP

15

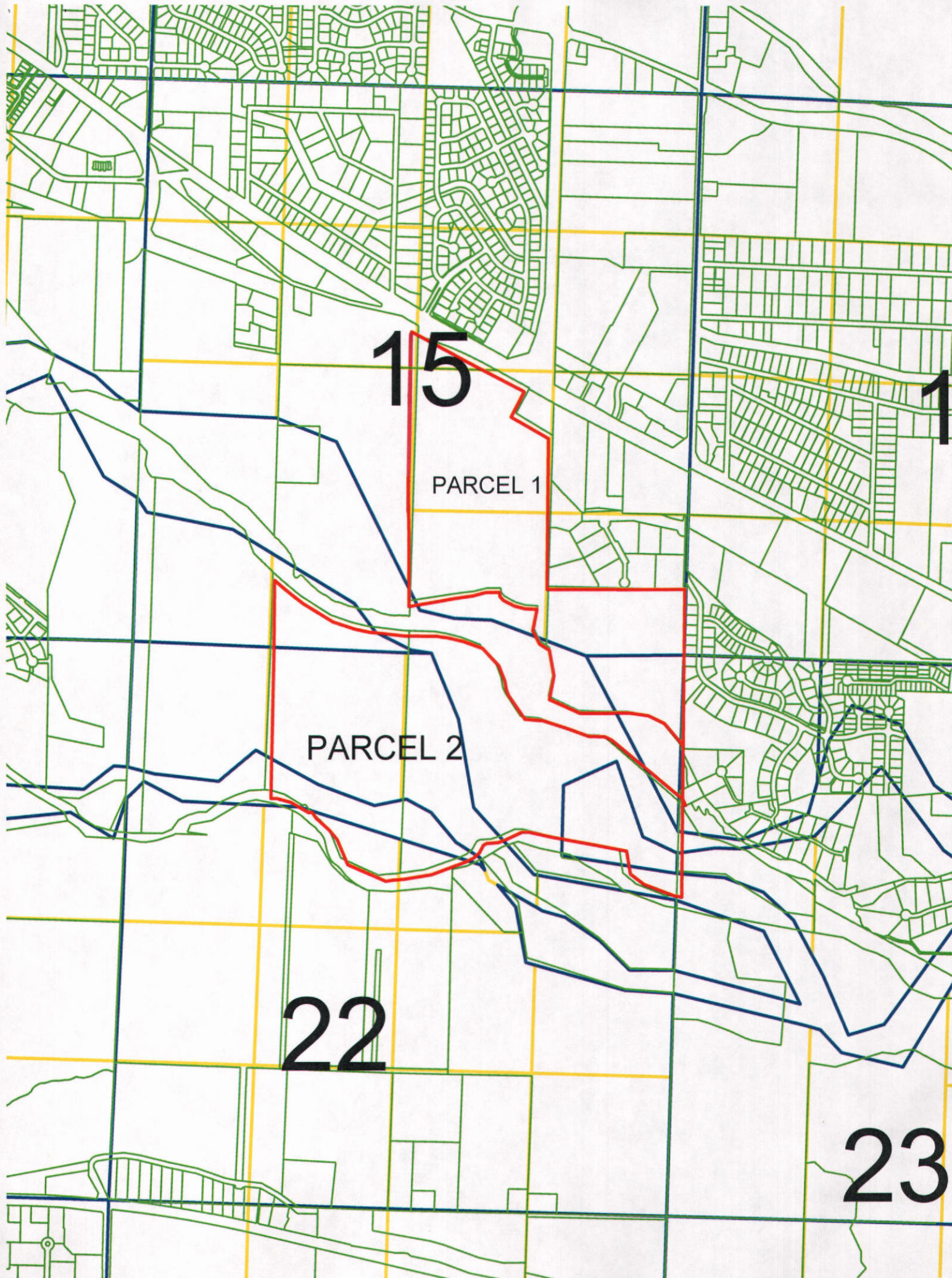
PARCEL 1

PARCEL 2

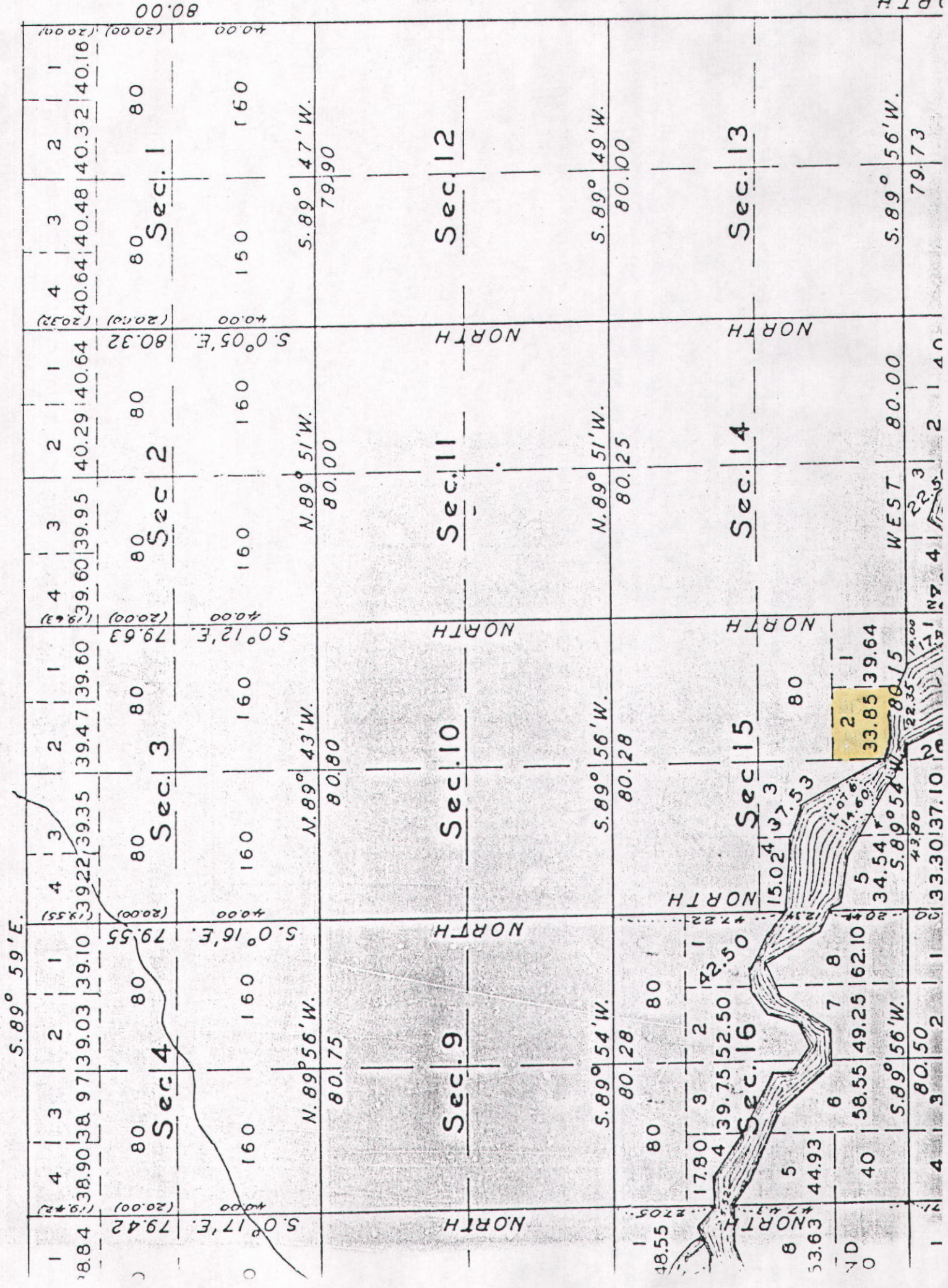
22

23

1



4N 1E



RT 4



15

ENW

SWNE

SENE

NWSE

NESE

NESW

* Pou

Pou

SWSE

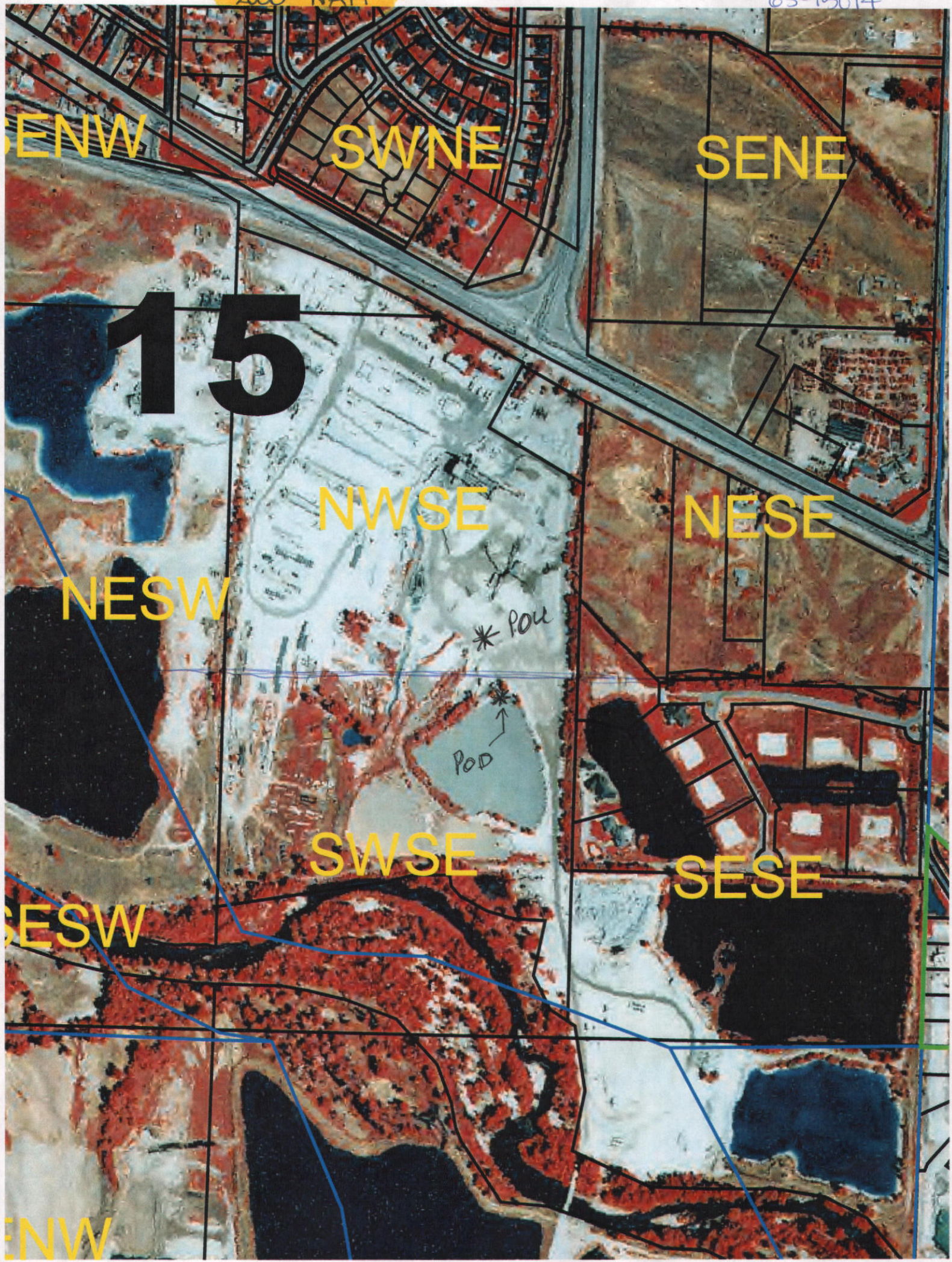
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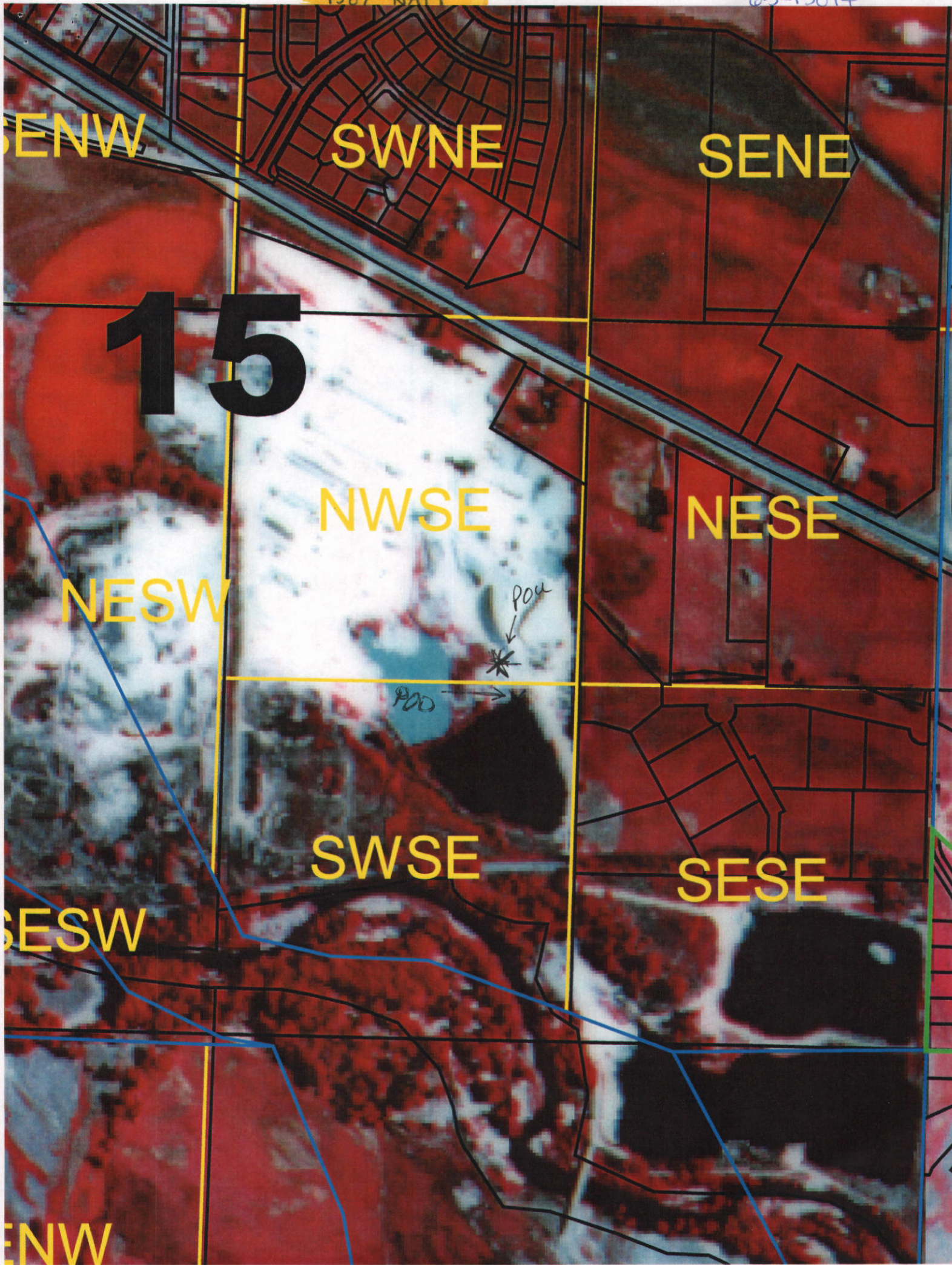
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ENW

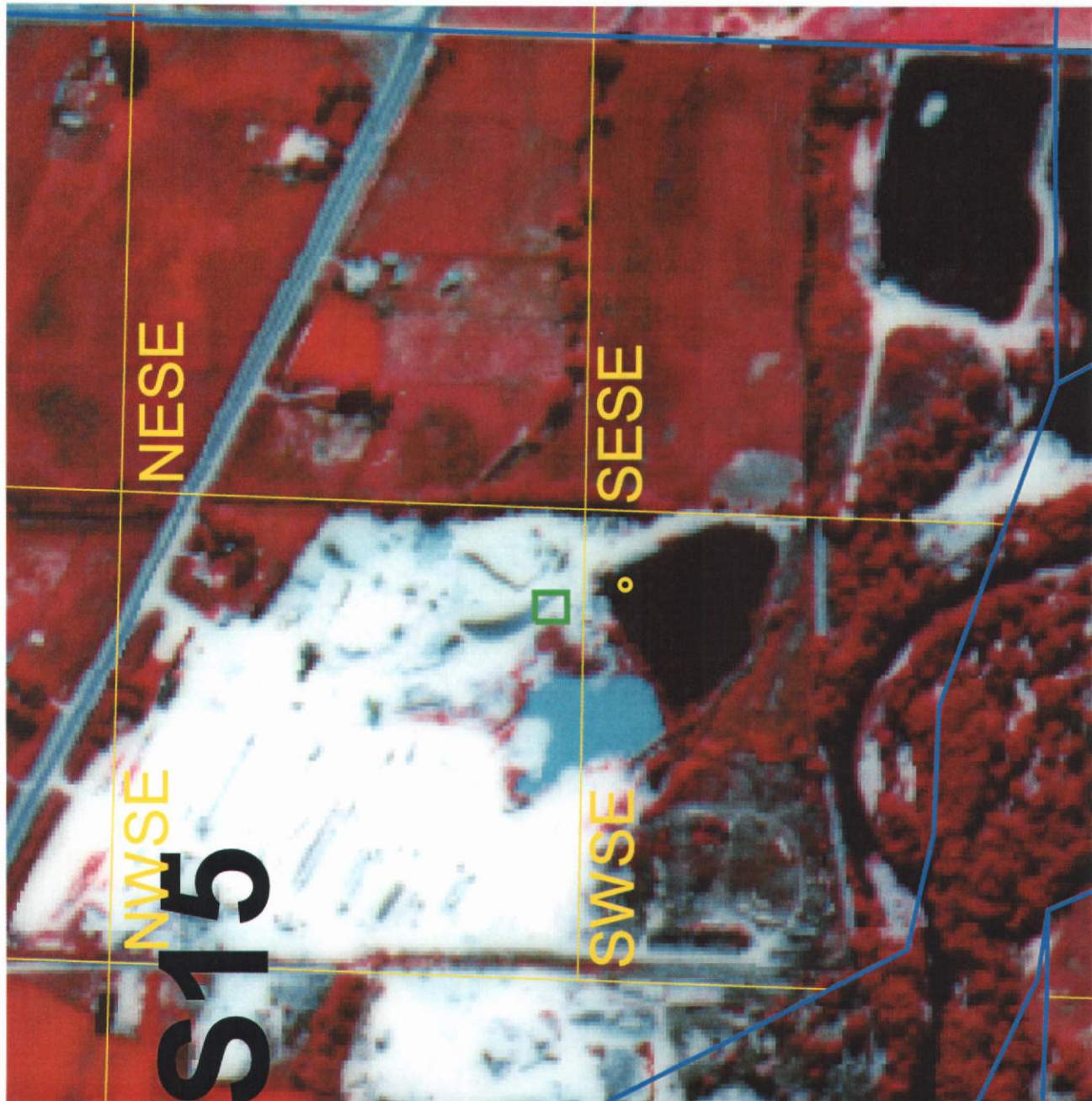
2819 E. State
Eagle 83616







Idaho Department of Water Resources



**T04N, R01E,
S15**

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region 2835 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

Claim No: 63-15014
Prepared By: Kimberly Brown
Date: August 19, 2004

- Point of Diversion
- Place of Use
- Section Lines
- 1/4 1/4



DIRK KEMPTHORNE
Governor
KARL J. DREHER
Director

1987 NAPP

RECEIVED

MAY 11 2005

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

WATER RESOURCES
WESTERN REGION

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 63-15014
Date Received: 8/18/1988
Receipt No: E001434
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

STAKER & PARSON COMPANIES, INC.
2350 SOUTH 1900 WEST
OGDEN, UT 84401

Phone: (801) 258-3900

2. Date of Priority: 08/01/1970

3. Source: WASTE WATER Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
04N	01E	15	NW	SE	2	ADA	

5. Description of diverting works:

100 H.P. PUMP OUT OF HOLDING PONDS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
INDUSTRIAL	01/01	12/31	1.5	257.9

7. Total Quantity Appropriated is:
1.5 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01E	15	NW	SE	INDUSTRIAL	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

WATER USED FOR PROCESSING AGGREGATES AND CONCRETE TRUCKS

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 Organizations:

I do solemnly swear or affirm that I am OPERATIONS MANAGER of
Title
FRANK CONCRETE CO., that I have signed the foregoing
Organization
document in the space below as OPERATIONS MANAGER of
Title
FRANK CONCRETE CO and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

OPERATIONS MANAGER
Title and Organization

5/9/05
Date

State of Idaho)
County of Canyon) SS.

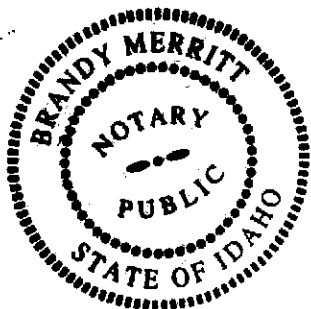
Subscribed and sworn (or affirmed) before me this 9th

of May 20 05

Brandy Merritt
Notary Public

Residing at Nampa, ID

My commission Expires 2-20-09



ERO

ERO Resources Corp.
1106 N. Cole Rd., Suite C
Boise, ID 83704-8661
(208) 373-7983
Fax: 373-7985

Amended Claim
Hand-delivered
by Mr. Young,
Norman C. Young

nyoung@eroresources.com

05/12/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-15014

NAME AND ADDRESS: MONROC INC
C/O RICHARD FRISBY
PO BOX 8388
BOISE ID 83707

SOURCE: WASTE WATER

TRIBUTARY: BOISE RIVER

QUANTITY: 1.500 CFS

PRIORITY DATE: 08/01/1970

POINT OF DIVERSION:

T04N R01E S15 SWSE Lot 2 Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

INDUSTRIAL

01/01 12/31

1.500 CFS

PLACE OF USE: INDUSTRIAL Within ADA County

T04N R01E S15 NWSE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

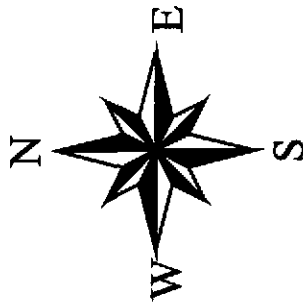
INDUSTRIAL USE IS FOR PROCESSING AGGREGATES AND CONCRETE TRUCKS.

Idaho Department of Water Resources

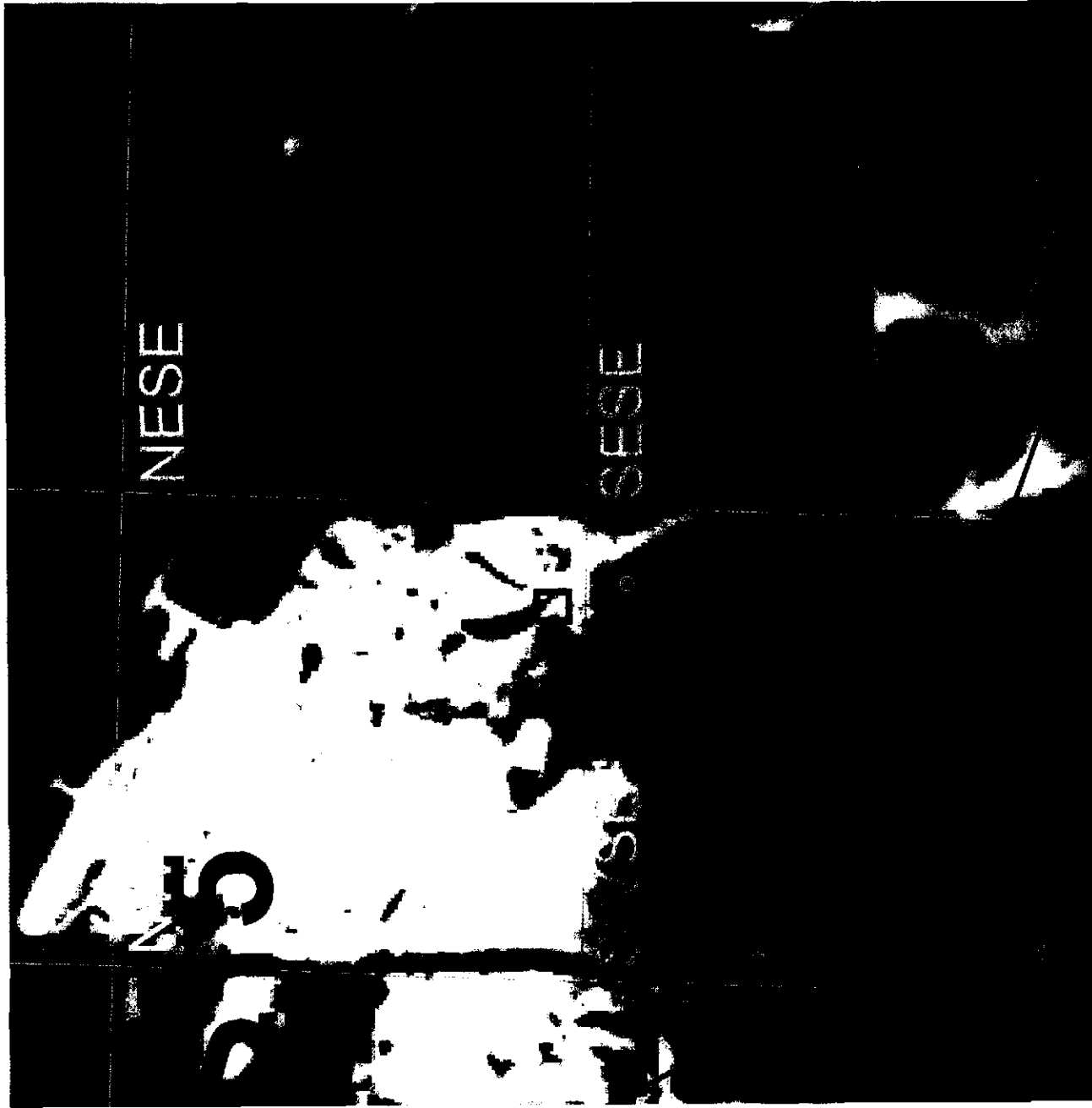
**T04N, R01E,
S15**

Claim No: 63-15014
Prepared By: Kimberly Brown
Date: August 19, 2004

☉ Point of Diversion
□ Place of Use
□ Section Lines
1/4 1/4



1987 NAPP



0 0.1 0.2 0.3 0.4 Miles

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 63-15014
Date Received: 8/18/1988
Receipt No: E001434
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

STAKER & PARSONS COMPANY Phone: (801) 258-3900
2350 SOUTH 1900 WEST
OGDEN UT USA 84401

2. Date of Priority: 07/01/1969

3. Source: WASTE WATER Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01E	15	NW SE	ADA	

5. Description of diverting works:

25 H.P. PUMP OUT OF HOLDING PONDS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
INDUSTRIAL	4/01	12/01	1.5	

7. Total Quantity Appropriated is:
1.5 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01E	15	NW	SE	INDUSTRIAL	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

WATER FOR PROCESSING AGGREGATES AND CONCRETE TRUCKS

CHANGE IN OWNERSHIP 5/24/05 LG

15. Basis of Claim: Beneficial Use

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

AUG 05 2004

DEPARTMENT OF
WATER RESOURCES

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split
63-15014	A63-15014	No
63-10189	A63-10189	No
_____	_____	_____
_____	_____	_____

Water Right No(s).	Adjudication Claim No(s).	Split
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

RECEIVE

AUG 12 2004

WATER RESOURCE
WESTERN REGION

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions): **PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Monroc Inc.
P.O. Box 8388, Boise, Idaho 83707
4. New Owner/Claimant(s) Staker & Parson Companies, Inc.
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 2350 South 1900 West
- City, State and ZIP Code Ogden, Utah 84401
- New Telephone Number (801) 258-3900
5. Date you acquired the property February 4, 2002

SCANNED

AUG 11 2004

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number	<u>N/A</u>	
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number	<u>N/A</u>	
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Elliott L. Smith
Operations Manager

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by S.O. Date 8-5-04 Fee 0
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED
Aug 11 2004

Data and Deed Call Listing of File: STAKER PARSONS.des

Tract 1: 39.5737 Hectares: 395736.6 Sq M.: Closure = s80.2330w 147.50 M.: Precision =1/25: Perimeter = 3635 M.

001=N+1388886.41M E+2313469.40M

002=ROTATE +0.0000

003=S00.3758W 864.14

004=N30.1150W 48.20

005=N41.0422W 238.99

006=N64.5000W 173.69

007=N81.5400W 186.05

008=S89.0822W 270.10

009=N89.0656W 201.26

010=N66.1724W 321.15

011=N10.5124E 228.19

012=N10.0130W 243.23

013=N58.2221W 111.94

014=N27.2421W 141.62

015=N11.2246E 206.82

016=N87.3249W 118.15

017=N75.1136W 103.57

018=N62.1408W 117.58

019=N42.3715W 47.84

020=N09.2442W 40.89

021=S89.1743W 132.04

022=S74.5308W 128.54

023=S82.0825W 137.33

024=N00.3642E 2591.65

025: Lt, R=34437.48, Arc=1220.06, Delta=02.0148
Bng=S62.2650E, Chd=1220.00

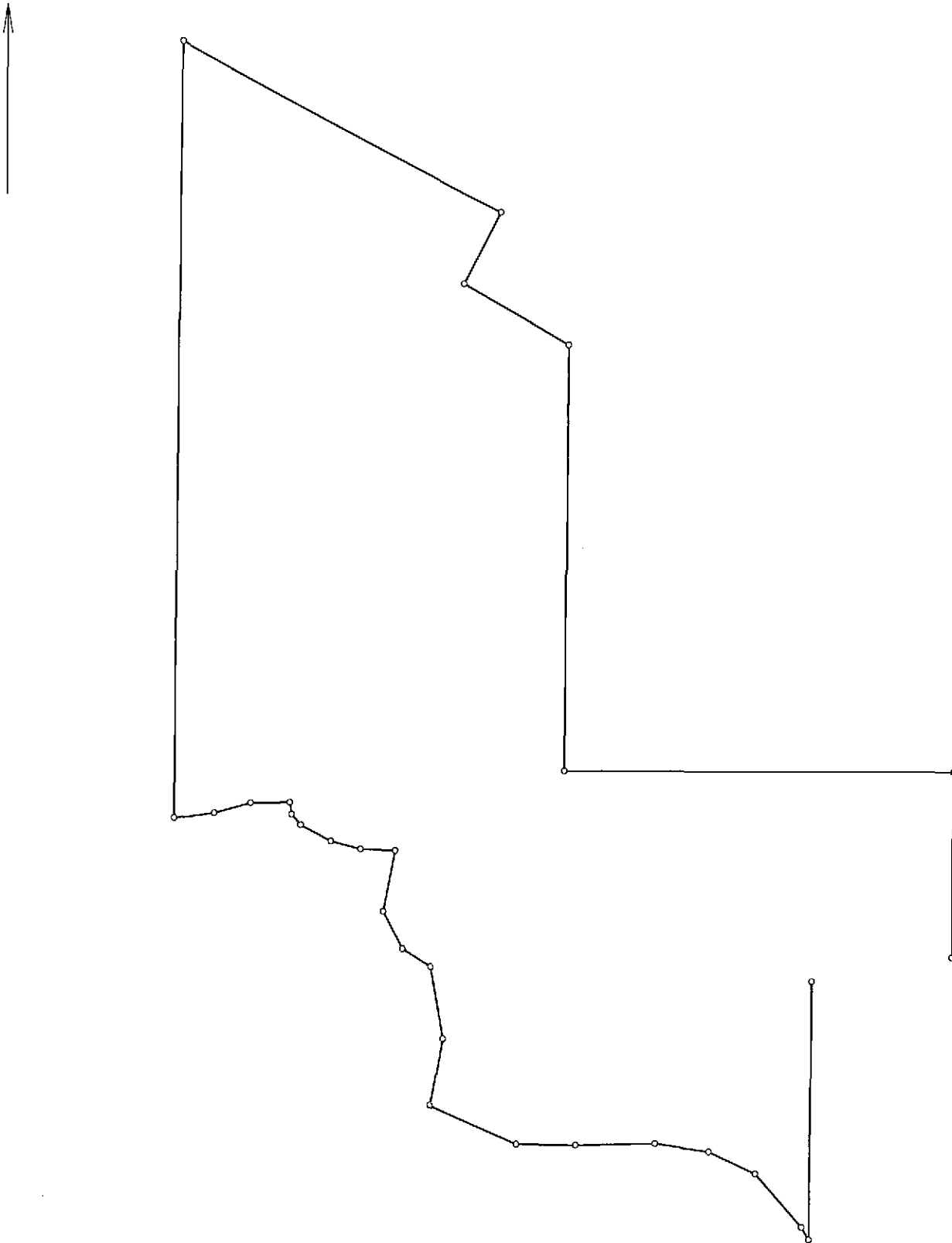
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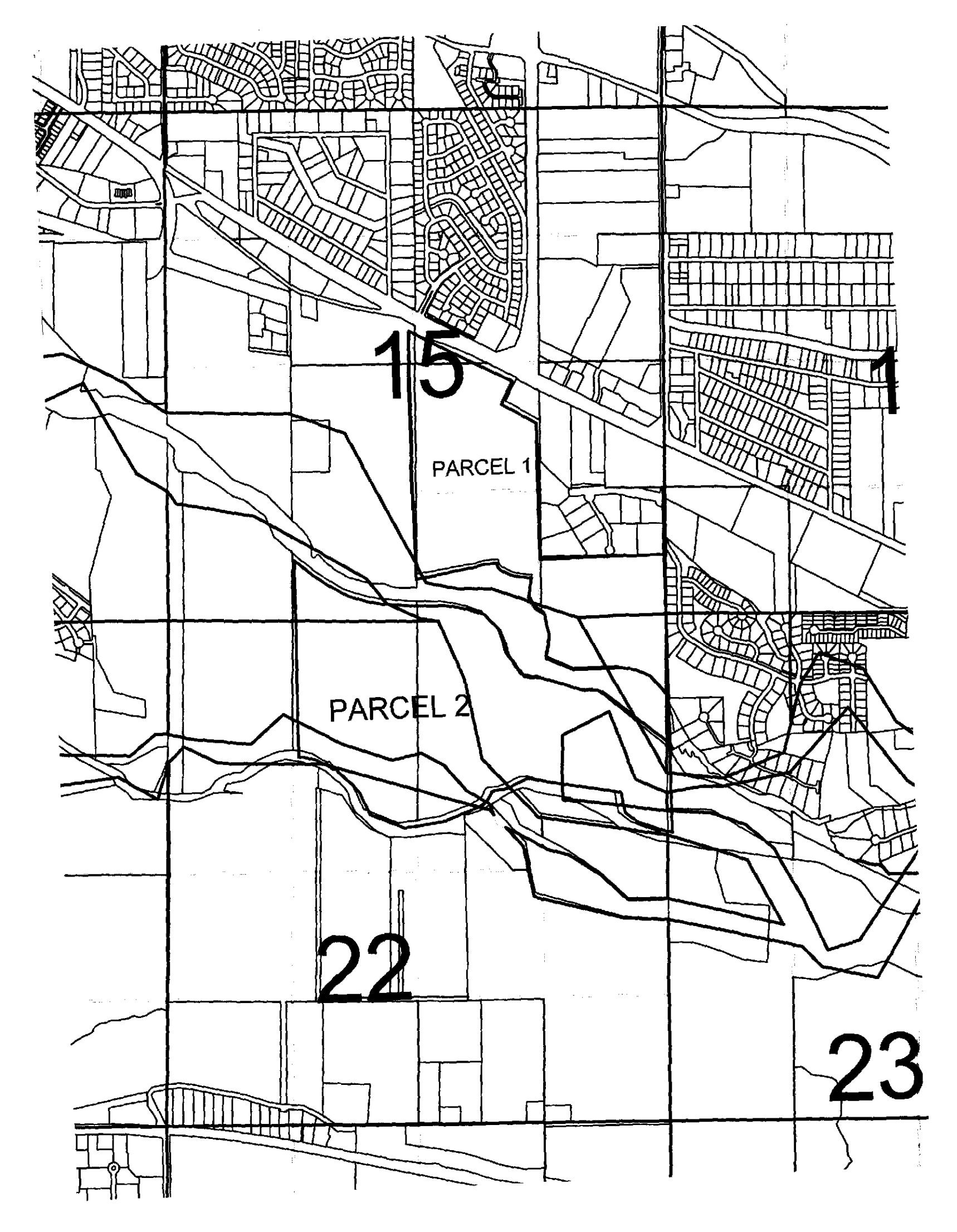
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029=S89.4842E 1325.91

030=S00.3536W 620.42



Title:		Date: 05-24-2005
Scale: 1 inch = 505 feet	File: STAKER PARSONS.des	



15

PARCEL 1

PARCEL 2

22

23

1

This Instrument prepared by:
Susan Elliott Rich, Esq.
Baker, Donelson, Bearman & Caldwell, P.C.
1800 Republic Centre
633 Chestnut Street
Chattanooga, Tennessee 37450-1800

After Recording Return to:
Gibson, Dunn & Crutcher
2100 McKinney Avenue, Suite 1100
Dallas, Texas 75201
Attention: David L. Hebert, Esq.

SPECIAL CORPORATE WARRANTY DEED
(Boise Property - Eagle, Idaho)

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars (\$10.00) cash in hand paid by the hereinafter named GRANTEE, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **MONROC, INC. f/k/a MONROC ACQUISITIONS, INC.**, a Delaware corporation, hereinafter called "GRANTOR", has bargained and sold, and by these presents transfers, conveys and grants unto **OLDCASTLE MMG, INC.**, a Utah corporation, hereinafter called "GRANTEE", its successor and assigns, a certain tract or parcel of land in Ada County, Idaho, described as follows, to-wit (the "Property"):

(SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED
BY REFERENCE AS FULLY AS THOUGH COPIED HEREIN.)

The Property is transferred subject to the limitations, restrictions and encumbrances set forth on Exhibit "B".

TO HAVE AND TO HOLD the Property, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEE, its successors and assigns, forever, and GRANTOR covenants with said GRANTEE that is is lawfully seized and possessed of the Property in fee simple, has a good right to convey it, and the same is free from all encumbrances made or suffered by GRANTOR, unless otherwise herein set out; and GRANTOR further covenants and binds itself, its successors, and assigns, to warrant and forever defend the title to the Property to the said GRANTEE, its successors and assigns, against the lawful claims of all persons claiming by, through or under the GRANTOR, but not further or otherwise.

Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

(Signatures on Next Page)

WITNESS as of the 4th day of February, 2002.

MONROC, INC

By: [Signature]

Title: Vice President

STATE OF UTAH
COUNTY OF SALT LAKE

Before me, Patricia Sandberg, a Notary Public in and for the State and County aforesaid, personally appeared Stan Springel with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself/herself to be the Vice President of Monroc, Inc., a Delaware corporation, the within named bargainor, and that he/she as such officer, being duly authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself as such officer as the free act and deed of the corporation.

WITNESS my hand and seal at office, on this the 1 day of Feb, 2002.

Patricia K. Sandberg
Notary Public

My Commission Expires:

(Notary Seal)

Mailing Address of Grantee:
Oldcastle MMG, Inc.
c/o Oldcastle Materials, Inc.
3333 K Street, N.W. 405
Washington, D.C. 20007

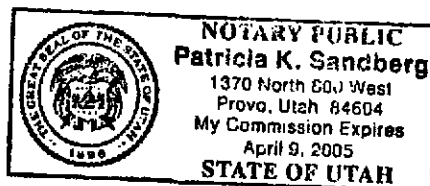


EXHIBIT "A"
(Boise Property - Eagle, Idaho)

PARCEL I

A parcel of land being a portion of the East half of Section 15 and a portion of the Northeast Quarter of the Northeast Quarter of Section 22, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, as shown on Record of Survey No. 3432, filed for record in the office of the Ada County Recorder, Boise, Idaho, under Instrument No. 96005748 and more particularly described as follows:

BEGINNING at a brass cap marking the Northeast corner of the said Section 22;
thence along the East boundary of the said Section 22
South 00 degrees 37'58" West 864.14 feet to an iron pin on the Northerly bank of the
Boise River; thence along the said Northerly bank
North 30 degrees 11'50" West 48.20 feet to an iron pin; thence continuing
North 41 degrees 04'22" West 238.99 feet to an iron pin thence continuing
North 64 degrees 50'00" West 173.69 feet to an iron pin; thence continuing
North 81 degrees 54'00" West 186.05 feet to an iron pin; thence continuing
South 89 degrees 08'22" West 270.10 feet to an iron pin; thence continuing
North 89 degrees 06'56" West 201.26 feet to an iron pin; thence continuing
North 66 degrees 17'24" West 321.15 feet to an iron pin; thence continuing
North 10 degrees 51'24" East 228.19 feet to an iron pin; thence continuing
North 10 degrees 01'30" West 243.23 feet to an iron pin; thence continuing
North 58 degrees 22'21" West 111.94 feet to an iron pin; thence continuing
North 27 degrees 24'21" West 141.62 feet to an iron pin; thence continuing
North 11 degrees 22'46" East 206.82 feet to an iron pin; thence continuing
North 87 degrees 32'49" West 118.15 feet to an iron pin; thence continuing
North 75 degrees 11'36" West 103.57 feet to an iron pin; thence continuing
North 62 degrees 14'08" West 117.58 feet to an iron pin; thence continuing
North 42 degrees 37'15" West 47.84 feet to an iron pin; thence continuing
North 09 degrees 24'42" West 40.89 feet to an iron pin; thence continuing
South 89 degrees 17'43" West 132.04 feet to an iron pin; thence continuing
South 74 degrees 53'08" West 128.54 feet to an iron pin; thence continuing
South 82 degrees 08'25" West 137.33 feet to an iron pin; thence continuing
South 80 degrees 23'14" West 483.88 feet to an iron pin on the
West boundary of the said East Half of Section 15; thence along the said West
boundary
North 00 degrees 36'42" East 2,591.65 feet to an iron pin on the Southwesterly right-
of-way line along a curve to the left 1,220.06 feet, said curve having a central angle
of 02 degrees 01'48", a radius of 34,437.48 feet and a long chord bearing
South 62 degrees 26'50" East 1,220.00 feet to an iron pin; thence leaving the said
Southwesterly right-of-way line
South 27 degrees 33'10" West 270.00 feet to an iron pin; thence
South 60 degrees 26'50" East 411.81 feet, formerly 418 feet,

to an iron pin on the East boundary of the West Half of the said East Half of Section 15; thence along the said East boundary
South 00 degrees 36'09" West 1,423.94 feet to an iron pin; thence leaving the said East boundary
South 89 degrees 48'42" East 1,325.91 feet to an iron pin on the East boundary of the said Section 15; thence along the said East boundary
South 00 degrees 35'36" West 620.42 feet to the POINT OF BEGINNING

PARCEL II

A parcel of land being a portion of the Southwest Quarter of the Southeast Quarter and a portion of the Southeast Quarter of the Southwest Quarter of Section 15 and a portion of the North Half of Section 22, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, as shown on Record of Survey No. 3432, filed for record in the office of the Ada County Recorder, Boise, Idaho under Instrument No. 96005748, and more particularly described as follows:

COMMENCING at a brass cap marking the Northeast corner of the said Section 22; thence along the East boundary of the said Section 22

South 00 degrees 37'58" West 1,419.71 feet to an iron pin on the Northerly bank of Eagle Island also said point being the REAL POINT OF BEGINNING; thence continuing

South 00 degrees 37'58" West 862.86 feet to an iron pin on the Southerly bank of Eagle Island; thence along the said Southerly bank

- North 75 degrees 21'14" West 31.26 feet to an iron pin; thence continuing
- North 78 degrees 40'37" West 29.62 feet to an iron pin; thence continuing
- North 81 degrees 36'04" West 41.19 feet to an iron pin; thence continuing
- North 69 degrees 38'54" West 312.07 feet to an iron pin; thence continuing
- North 52 degrees 28'30" West 164.61 feet to an iron pin; thence continuing
- North 09 degrees 36'38" West 218.05 feet to an iron pin; thence continuing
- North 79 degrees 11'39" West 286.89 feet to an iron pin; thence continuing
- North 79 degrees 52'53" West 437.48 feet to an iron pin; thence continuing
- North 77 degrees 34'25" West 225.02 feet to an iron pin; thence continuing
- South 89 degrees 33'30" West 77.26 feet to an iron pin; thence continuing
- South 65 degrees 10'28" West 182.36 feet to an iron pin; thence continuing
- South 72 degrees 24'49" West 65.58 feet to an iron pin; thence continuing
- South 85 degrees 25'39" West 107.64 feet to an iron pin; thence continuing
- South 63 degrees 18'55" West 33.83 feet to an iron pin; thence continuing
- South 29 degrees 02'55" West 85.70 feet to an iron pin; thence continuing
- South 48 degrees 35'28" West 73.23 feet to an iron pin; thence continuing
- South 64 degrees 40'33" West 82.11 feet to an iron pin; thence continuing
- South 70 degrees 11'09" West 350.76 feet to an iron pin; thence continuing
- South 80 degrees 43'13" West 270.25 feet to an iron pin; thence continuing
- South 85 degrees 04'48" West 102.36 feet to an iron pin; thence continuing
- South 81 degrees 59'55" West 72.25 feet to an iron pin; thence continuing
- North 67 degrees 07'42" West 397.09 feet to an iron pin; thence continuing
- North 22 degrees 58'52" West 207.26 feet to an iron pin; thence continuing
- North 25 degrees 22'17" West 51.56 feet to an iron pin; thence continuing
- North 39 degrees 49'00" West 119.58 feet to an iron pin; thence continuing
- North 48 degrees 31'11" West 168.73 feet to an iron pin; thence continuing
- North 35 degrees 06'58" West 66.90 feet to an iron pin; thence continuing
- South 81 degrees 43'29" West 33.06 feet to an iron pin; thence continuing
- North 60 degrees 24'12" West 196.70 feet to an iron pin; thence continuing

North 74 degrees 33'55" West 135.23 feet to an iron pin; thence continuing
North 88 degrees 24'22" West 62.44 feet to an iron pin on the West boundary of the East
Half of the Northwest Quarter of the said Section 22; thence along the said West boundary
North 01 degrees 14'28" East 1,366.16 feet to an iron pin marking the Southwest corner of
the said Southeast Quarter of the Southwest Quarter of Section 15;
North 00 degrees 42'12" East 690.75 feet to an iron pin on the said Northerly bank of Eagle
Island; thence along the said Northerly bank
South 49 degrees 10'10" East 134.39 feet to an iron pin; thence continuing
South 52 degrees 18'15" East 217.36 feet to an iron pin; thence continuing
South 59 degrees 09'00" East 336.04 feet to an iron pin; thence continuing
➤ South 72 degrees 17'44" East 216.50 feet to an iron pin; thence continuing
South 78 degrees 06'31" East 149.74 feet to an iron pin; thence continuing
South 84 degrees 05'30" East 334.16 feet to an iron pin; thence continuing
South 89 degrees 24'01" East 321.37 feet to an iron pin; thence continuing
South 81 degrees 36'11" East 100.22 feet to an iron pin; thence continuing
South 77 degrees 26'25" East 147.83 feet to an iron pin; thence continuing
South 70 degrees 37'48" East 200.42 feet to an iron pin; thence continuing
South 43 degrees 16'05" East 227.75 feet to an iron pin; thence continuing
South 21 degrees 50'01" East 152.84 feet to an iron pin; thence continuing
South 10 degrees 39'05" East 91.26 feet to an iron pin; thence continuing
South 23 degrees 27'58" East 56.97 feet to an iron pin; thence continuing
South 34 degrees 58'36" East 269.40 feet to an iron pin; thence continuing
South 85 degrees 32'21" East 174.24 feet to an iron pin; thence continuing
South 72 degrees 43'13" East 263.50 feet to an iron pin; thence continuing
South 69 degrees 39'34" East 199.79 feet to an iron pin; thence continuing
South 88 degrees 43'22" East 152.84 feet to an iron pin; thence continuing
South 66 degrees 04'15" East 74.07 feet to an iron pin; thence continuing
South 50 degrees 41'05" East 889.52 feet to an iron pin; thence continuing
South 24 degrees 11'26" East 59.67 feet to the POINT OF BEGINNING

CANCELLATION, CONTINUATION, OR AMENDMENT OF CERTIFICATE OF ASSUMED BUSINESS NAME

(Please type or print legibly)

To the SECRETARY OF STATE, STATE OF IDAHO

Pursuant to Section 53-507 and 53-508, Idaho Code, the undersigned gives notice of the action(s) indicated below:

1. The assumed business name is: Jack B. Parson Companies
2. The assumed business name was filed with the Secretary of State's Office on 05-03-01 as file number D45111
3. ☐ Cancellation. The persons who filed the certificate no longer claim an interest in the above assumed business name and cancel the certificate in its entirety.
4. ☐ Continuation. The persons who filed the certificate continue use of the above assumed business name for another 5 years (may be filed up to 6 months prior to the lapse date).
5. ☐ The assumed business name is amended to: _____
6. ☒ The true names and business addresses of the entity or individuals doing business under the assumed business name are amended as follow:

Add:	Delete:	Name:	Address:
☒	☐	<u>Staker & Parson Companies</u>	<u>2350 South 1900 West Ogden, UT 84401-3216</u>
☐	☒	<u>OldCastle MMG, Inc.</u>	<u>" "</u>
☐	☐	_____	_____

7. ☐ The type of business is amended to read:

☐ Retail Trade	☐ Manufacturing	☐ Transportation and Public Utilities
☐ Wholesale Trade	☐ Agriculture	☐ Finance, Insurance, and Real Estate
☐ Services	☐ Construction	☐ Mining
8. ☐ The name and address to which future correspondence should be addressed is changed to read: _____

9. Name and address for this acknowledgment copy is:

Douglas B. Peterson

c/o Staker & Parson Companies
P.O. Box 3429
Ogden, UT 84409-1429

Signature: Douglas B. Peterson

Printed Name: DOUGLAS B. PETERSON

Capacity: CFO-TREASURER

(see instruction # 10 on back of form)

Secretary of State use only

g:\corp\forms\lab\forms\amend\abn.pmb
Revised 01/2001

IDAHO SECRETARY OF STATE
05/06/2002 05:00
CK: 159577 CT: 159934 BH: 463721
1 @ 10.00 = 10.00 ASSUM AMEN # 3

CANCELLATION, CONTINUATION, OR AMENDMENT OF CERTIFICATE OF ASSUMED BUSINESS NAME

(Please type or print legibly)

To the SECRETARY OF STATE, STATE OF IDAHO

2002 MAY -2 PM 2:22

Pursuant to Section 53-507 and 53-508, Idaho Code, the undersigned gives notice of the action(s) indicated below:

1. The assumed business name is: Staker Paving and Construction Company2. The assumed business name was filed with the Secretary of State's Office on 05-03-01 as file number D45110.3. ☐ Cancellation. The persons who filed the certificate no longer claim an interest in the above assumed business name and cancel the certificate in its entirety.4. ☐ Continuation. The persons who filed the certificate continue use of the above assumed business name for another 5 years (may be filed up to 6 months prior to the lapse date).5. ☐ The assumed business name is amended to: _____6. ☒ The true names and business addresses of the entity or individuals doing business under the assumed business name are amended as follow:

Add:	Delete:	Name:	Address:
☒	☐	<u>Staker & Parson Companies</u>	<u>2350 South 1900 West Ogden, UT 84401-3216</u>
☐	☒	<u>OldCastle MMG, Inc.</u>	<u>" "</u>
☐	☐	_____	_____

7. ☐ The type of business is amended to read:

☐ Retail Trade	☐ Manufacturing	☐ Transportation and Public Utilities
☐ Wholesale Trade	☐ Agriculture	☐ Finance, Insurance, and Real Estate
☐ Services	☐ Construction	☐ Mining

8. ☐ The name and address to which future correspondence should be addressed is changed to read: _____

9. Name and address for this acknowledgment copy is:

Douglas B. Petersonc/o Staker & Parson CompaniesP.O. Box 3429Ogden, UT 84409-1429Signature: Douglas B. PetersonPrinted Name: DOUGLAS B. PETERSONCapacity: CFO - TREASURER

(see instruction # 10 on back of form)

Secretary of State use only

g:\corp\forms\lab\forms\amendabn.pm6
Revised 01/2001

IDAHO SECRETARY OF STATE
05/06/2002 05:00-
CK: 159577 CT: 159934 DH: 463721
1 @ 10.00 = 10.00 ASSUM AMEN # 2

2002 MAY -6 AM 11:37
SECRETARY OF STATE
STATE OF IDAHO
EFFECTIVE

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: A63-15014
Date Received: 8/18/1988
Receipt No: E001434
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MONROC INC 208-939-6831
Address: C/O RICHARD FRISBY
PO BOX 8388
BOISE ID 83707

2. Date of Priority: JUL 1, 1969

3. Source: WASTE AND SEEPAGE Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01E	15	NW	SE			ADA

5. Description of diverting works:
25 H.P. PUMP OUT OF HOLDING PONDS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
INDUSTRIAL	04/01	12/01	1.500		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
SEE REMARKS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01E	15	NW	SE		INDUST	

11. Place of use in counties: ADA

MICROFILMED

JUL 26 1994

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

13. Other Water Rights Used:
A63-10189

14. Remarks:
WATER FOR PROCESSING AGGREGATES AND CONCRETE TRUCKS

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

JUL 26 1994

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

RECEIVED

OCT 17 1988

Ident. Number: A63-15014
Date Received: 8/01/1988
Receipt No: E001434
Received By: TO

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MONROC INC. 208-939-6831
Address: P.O. BOX 8388
BOISE, ID 83707

AND/OR

Name: ZIONS FIRST NATIONAL BANK
Address: ONE S. MAIN ST.
SALT LAKE CITY, UT 84133

2. Date of Priority: JUL 01, 1969

3. Source: WASTE AND SEEPAGE Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01E	15	NW	SE			ADA

5. Description of diverting works:
25 H.P. PUMP OUT OF HOLDING PONDS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
INDUSTRIAL	04/01	12/01	1.500		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
SEE REMARKS

A63-15014

Page 1

Date: 08/01/88

MICROFILMED

AUG 24 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01E	15	NW SE		INDUST	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
A63-10189

14. Remarks:
WATER FOR PROCESSING AGGREGATES AND CONCRETE TRUCKS

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 Organizations:

I do solemnly swear or affirm that I am Vice President of
Title
Zions First National Bank that I have signed the foregoing
Organization
document in the space below as Vice President of
Title
Zions First Nat'l Bank and that the statements contained in the
Organization
foregoing document are true and correct.

Anthony Fannon
Signature of Authorized Agent

VP- Zions First National Bank
Title and Organization

8/12/88
Date

Utah
State of ~~Idaho~~

County of SALT LAKE

) SS.
)

Subscribed and sworn (or affirmed) before me this 12th day

of August 19 88

[Signature]
Notary Public

Seal

Residing at

Salt Lake City, Utah

My Commission Expires

5-6-91

04/26/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-15014

NAME AND ADDRESS: MONROC INC
C/O RICHARD FRISBY
PO BOX 8388
BOISE ID 83707

SOURCE: WASTE WATER

TRIBUTARY: BOISE RIVER

QUANTITY: 1.500 CFS

PRIORITY DATE: 08/01/1970

POINT OF DIVERSION:

T04N R01E S15 SWSE Lot 2 Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

INDUSTRIAL

04/01 12/01

1.500 CFS

PLACE OF USE:

INDUSTRIAL Within ADA County

T04N R01E S15 NWSE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

INDUSTRIAL USE IS FOR PROCESSING AGGREGATES AND CONCRETE TRUCKS.

5/11/2005 -

received Amended Claim from
claimants which changes the
claimed season of use from
04/01 - 12/01 to 01/01 - 12/01
(year-round use)

Water Right 63-15014

-KLB

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-15014

WATER RIGHT NUMBER: 63-15014 ✓

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ZIONS FIRST NATIONAL BANK ONE S MAIN ST SALT LAKE CITY, UT 84133
Current Owner	MONROC INC C/O RICHARD FRISBY ✓ PO BOX 8388 BOISE, ID 83707 (208)939-6831

Current Owners:

Staker & Parson Companies, Inc.
2350 South 1900 West
Ogden, UT 84401

(801) 258-3900

Priority Date: ~~07/01/1968~~ ✓ 08/01/1970

Basis: Beneficial Use ✓

Status: Active

Source

WASTE WATER ✓

Tributary

BOISE RIVER

Beneficial Use

INDUSTRIAL ✓

From To

4/01 to 12/01 ✓

Diversion Rate

1.500 CFS ✓

Annual VolumeTotal Diversion:

1.500 CFS ✓

*Amended
Season of Use -
Apr. 1st*

Location of Point(s) of Diversion

WASTE WATER

ADA County ✓

NW 1/4 SE 1/4 ✓

SW 1/4 SE 1/4

Sec. 15, Twp 04N, Rge 01E, B.M. ✓

Place of Use

INDUSTRIAL ✓

Govt. lot 2

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
✓ 04N	01E	15																X	

Conditions of Approval:Remarks:

1. General

ADD - Industrial use is

WATER FOR PROCESSING AGGREGATES AND CONCRETE TRUCKS

Comments:Dates and Other Information:

Parcel No: 30515428000.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-15014

Dates and Other Information:

Claim Received Date: 8/18/1988
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Field Exam Date 8-18-04

(in office)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$200.00 @ 100.00 / cfs + \$50.00 flat fee
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information Govt. lot 2 in SW 1/4 SE 1/4
- ☒ Check POD & POU overlap, see below - include overlapping right for exam
- ☒ Evidence of Priority - if none, talk with claimant

CLAIMANT INFORMATION - verify contact information is complete

Claim No(s) A 63 - 15014

Owner: Monroc, Inc. Phone No. (208) 939-6831

Current Address: P.O. Box 8388 Boise 83707

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER Staker & Parson Companies, Inc.
- ☐ No change Address
- ☒ NEW ADDRESS 2350 South 1900 West Ogden, UT 84401
- ☒ How long owned property? 2/4/2002

Accompanied by: N/A

PRIORITY DATE

- ☐ No change - Complete evidence submitted or not necessary
- ☐ Incomplete - Claimant should be asked when water was first used and submit proof of date.
- ☒ Priority date is acceptable/within mandatory filing dates? Surface water -> 5/20/71

Priority date, per claimant, is: 7/1/69

(If priority date, based on your exam, seems questionable, explain below.)

Based on the Affidavit submitted by Richard Johnson, Idaho Concrete Co. is able to substantiate use in August, 1970. Therefore, I will recommend 8/1/1970 as the priority date. (See Affidavit.)

Source: _____ Tributary to _____

- ☒ No Change - SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☐ No change
- ☒ POD found is different than claimed: Field exam - POD GPSed @ 2313007 - 1389258
- ☐ If different, when did POD change? _____ (see FX sheet)

FX: GPS - 2313007
1389258 (3/11/2004)

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
	2		SW	SE					

Description of diverting works

See Field Report.

OVERLAP REVIEW

Other water rights with the same point of diversion: None

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

#63-10189 has a ground water source, therefore, is a different POB - no overlap.

WATER USES

☐ No change

☐ Different Uses

Amended Season of Use - from 04/01 to 12/31 (10) 01/01 - 12/31 (see file)
Cred'd. Amended Claim on 5/11/05 from Stahert & Parsons

Use Industrial From 9/01 To 12/31 Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME - Groundwater only

☒ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

☐ No change

☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:

☒ No Change

☐ Changes shown below:

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: None

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

#63-10189 is from a ground water source & used at a different POU.
 #63-263 is used for irrigation from a separate source on a different POU.

Delivery System Narrative: See Field Report.

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
		100			

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

(OVER)

Industrial use is for processing aggregates and
concrete trucks.

Parcel No: S0515428000.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☒ Photographs of POD's and POU
- ☒ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 8-19-04 (in office)

FIELD EXAMINER: Kimberly Brown

* * * Memory TX Result Report (May. 4. 2005 10:13AM) * * *

1) Idaho Dept. of Water Resources
2)

Date/Time: May. 4. 2005 10:11AM

File No. Mode	Destination	Pg(s)	Result	Page Not Sent
0925 Memory TX	93737985	P. 5	OK	

Reason for error
 E. 1) Hang up or line fail
 E. 3) No answer
 E. 5) Exceeded max. E-mail size

E. 2) Busy
 E. 4) No facsimile connection



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5002 - (208) 334-2190
FAX (208) 334-2348

DAK KEMPTON

Governor

KARL J. DREHER

Director

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 5/4/05

TO: Norm Young
EKOFROM: Kimberly Brown
IDWR

#373-7983

DOCUMENT DESCRIPTION:

* As requested, here is a copy of the Amended Claim and cover letter for 63-15014.

* I just found that Kimberly received the legal documents from Staker on April 8, 2005; but has not asked me for the files in order to process them. If I would not have asked her about the Office Manager's signature on the Change of Ownership form, I would not have known that we received these legal documents.

TOTAL PAGES SENT: 4 + COVER SHEET

Sincerely,
Kimberly Brown

CONTACT: _____

* Norm Young left a message on my answering machine - requesting that I fax a copy of the Amended Claim & its cover letter. He also wanted to see if the Office Manager's signature on the Change of Ownership form was sufficient.

5/3/05



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 5/4/05

TO: Norm Young
ERO

FROM: Kimberly Brown
IDWR

#373-7983

DOCUMENT DESCRIPTION: As requested, here is a copy of the
Amended Claim and cover letter for 63-15014.

* I just found that liberty received the legal documents
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for the files in order to process them. If I would not
have asked her about the Office Manager's signature on
the Change of Ownership form, I would not have known
that we received these legal documents.

TOTAL PAGES SENT: 4 + COVER SHEET

Sincerely,
Kimberly Brown

CONTACT: _____

CONVERSATION MEMORANDUM

RE: Snake River Basin Adjudication Water Right No. A63-10189 & A63-15014

May 2, 2005

Norm Young, of E.R.O., called regarding these two claims. After checking the IDWR website, he noticed that the current owners are still listed as Monroc, Inc. for both claims and that the season of use has not been changed from 4/1 to 1/1 for 63-15014.

Concerning the change in ownership, I said that we have yet to receive the required legal documentation to process the submitted form (a letter requesting these documents was sent to Staker & Parson on August 19, 2004). Regarding the season of use, I stated that we were curious as to why year round use was not originally claimed and wondered whether concrete could be processed all year in this area. Mr. Young said that he has spoken to a Monroc manager and that they can process concrete year round and that the manager was unsure as to why 4/1 was claimed. I sent a message to my supervisor and she, in turn, sent a message to her supervisor; ultimately, we came to the conclusion that we would change the season of use to 1/1 – 12/31.

May 3, 2005

I called Norm Young (#373-7983) and alerted him to the fact that we will change the season of use to 1/1 – 12/31 once we receive the signed Amended Claim (which was sent to Staker & Parson on August 27, 2004). I informed Mr. Young that we still need the necessary legal documents to process the Change In Ownership form and the signed/notarized Amended Claim from Staker & Parson.

Kimberly Brown
Senior Water Resource Agent
Western Region

Brown, Kimberly

From: Shurte, Jan
Sent: Monday, May 02, 2005 5:07 PM
To: Brown, Kimberly
Subject: FW: Monroc - #63-15014

Let's give em 1-1 to 12-31. It makes sense that they have additives for that - who would know. Let me know if you have problems with this still. Jan

-----Original Message-----

From: Tuthill, Dave
Sent: Monday, May 02, 2005 4:10 PM
To: Shurte, Jan
Subject: RE: Monroc - #63-15014

Hi, Jan.

Yes there are some days when it's pretty cold to make concrete... However, they have additives that make most days ok. I believe it when they say that their operation has been year-around. This makes more sense to me than 4/1.

Cheers, Dave

-----Original Message-----

From: Shurte, Jan
Sent: Monday, May 02, 2005 2:26 PM
To: Tuthill, Dave
Cc: Brown, Kimberly
Subject: FW: Monroc - #63-15014

Dave - when they originally filed this they claimed 4-1 to 12-31. Then, they amended the claim to year round. Not knowing much about concrete production, does it seem feasible that they can run all year round - during the colder times of the year? I don't have any big problem with it, except I remember something about concrete not pouring so well during the cold. Jan

-----Original Message-----

From: Brown, Kimberly
Sent: Monday, May 02, 2005 1:55 PM
To: Shurte, Jan
Subject: Monroc - #63-15014

Jan, in response to our questions regarding the season of use, [Shurte, Jan] Norm Young replied:
- that he spoke with a Monroc manager (with the company since the 1970s) that said "Yes, we can process concrete year round."
- and that the manager didn't know why 04/01 was claimed instead of 01/01. According to Mr. Young, the manager stated, "It's a mystery."

An amended claim has been filed with us to change the season of use to 01/01 - 12/31.

5/3/05 I called Norm Young (#373-7983) and alerted him to the fact that we will change the season of use to 1/1-12/31 once we receive the Amended Claim. Therefore, we need the necessary legal documentation to process the Change In Ownership¹ form and the signed/notarized Amended Claim from Stalder / Parsons. - KLR



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 27, 2004

STAKER & PARSON COMPANIES, INC.
2350 SOUTH 1900 WEST
OGDEN, UT 84401

RE: Amended Claim for A63-15014

To Whom It May Concern,

Based on a recent field investigation that was conducted by our department for Claim No. A63-15014, it was determined that the period of use is year round (from January 1 to December 31); not April 1 to December 1 as originally claimed.

In order for us to change the claimed period of use to reflect your actual use, it is necessary that you have the enclosed *Amended Notice of Claim* signed in front of a Notary Public and return it to:

ATTN: Kimberly Brown
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

If you have any questions, please contact me at (208) 334-2190..

Respectfully submitted,

A handwritten signature in cursive script that reads 'Kimberly Brown'.

Kimberly Brown
Sr. Water Resource Agent
Adjudication Bureau

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 63-15014
Date Received: 8/18/1988
Receipt No: E001434
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

STAKER & PARSON COMPANIES, INC.
2350 SOUTH 1900 WEST
OGDEN, UT 84401

Phone: (801)258-3900

2. Date of Priority: 08/01/1970

3. Source: WASTE WATER Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01E	15	NW SE 2	ADA	

5. Description of diverting works:

100 H.P. PUMP OUT OF HOLDING PONDS

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
INDUSTRIAL	01/01 12/31	1.5	257.9

7. Total Quantity Appropriated is:
1.5 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01E	15	NW	SE	INDUSTRIAL	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

WATER USED FOR PROCESSING AGGREGATES AND CONCRETE TRUCKS

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 Organizations:

I do solemnly swear or affirm that I am _____ of
Title

_____, that I have signed the foregoing

Organization
document in the space below as _____ of
Title

_____, and that the statements contained in the
Organization
foregoing document are true and correct. _____

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 19, 2004

STAKER & PARSON COMPANIES, INC.
2350 SOUTH 1900 WEST
OGDEN, UT 84401

RE: Notice of Change of Water Right Ownership Nos. 63-10189 & 63-15014

Dear Claimants:

Enclosed is a copy of a Notice of Change of Water Right Ownership form that was recently submitted to our office. However, we cannot continue to process the ownership change without sufficient **proof of ownership**. This proof can be a copy of a Warranty Deed(s), Contract of Sale, Title Policy or other legal documentation indicating your ownership of the property; which includes the **legal description of the property by ¼ ¼ , Section, Township and Range**.

Please submit a copy of the proof of ownership, and we will be able to complete the ownership change.

Thank you for your patience and cooperation, as we have had several ownership changes to process. Feel free to contact our office if you have any questions concerning this letter.

Sincerely,

Kimberly Brown
Sr. Water Resource Agent
Adjudication Section
Western Region
(208) 334-2190

Enclosures

overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-15014

08/20/2004

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-10189	Claim	04N	01E	15	NW	SE		GROUND WATER	MONROC INC
~~63-15014~~	~~Claim~~	~~04N~~	~~01E~~	~~15~~	~~NW~~	~~SE~~		~~WASTE WATER-BOISE RIVER~~	~~MONROC INC~~
63-10189	Water Right	04N	01E	15	NW	SE		GROUND WATER	MONROC INC

Different POD -
groundwater.
No overlap.

overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-15014

08/20/2004

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2406	Claim	04N	01E	15	NW	SE		IRRIGATION	30/29248	DRAINAGE DIST NO 2
18785	Claim	04N	01E	15	NW	SE		IRRIGATION	39/726	NEW UNION DITCH CO LTD
-263	Water Right	04N	01E	15	NW	SE		IRRIGATION	different POU	BELINDA FRANK
2406	Water Right	04N	01E	15	NW	SE		IRRIGATION	30/29248	DRAINAGE DIST NO 2
10189	Claim	04N	01E	15	NW	SE		INDUSTRIAL	located northward	MONROC INC
~~15014~~	~~Claim~~	~~04N~~	~~01E~~	~~15~~	~~NW~~	~~SE~~		~~INDUSTRIAL~~		~~MONROC INC~~
10189	Water Right	04N	01E	15	NW	SE		INDUSTRIAL	located northward	MONROC INC

Separate POUs. No
overlap.

3,650.685

[illegible]

ReceiptID	Amount	BasinNumber	SequenceNum	SplitSuffix	Type
E001434	200.00	63	15014		Claim
E001434	68.00	63	10189		Claim

RECEIVED

AUG 05 2004

DEPARTMENT OF
WATER RESOURCES

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

COPY

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split
-----------------------	------------------------------	-------

63-15014 ~~A63-15014~~ No

<u>63-10189</u>	<u>A63-10189</u>	<u>No</u>
-----------------	------------------	-----------

Water Right No(s).	Adjudication Claim No(s).	Split
-----------------------	------------------------------	-------

RECEIVE

AUG 12 2004

WATER RESOURCE
WESTERN REGION

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. *A copy of the most recent* **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

- C. Either description point user *This was sent to the State* to clarify division of water rights or other complex property **TY** or **SURVEY MAP** clearly showing the location of the e of your water right(s) and/or adjudication claim(s) (these are file with the county).

DR

If you ^{documented} ^{the} ^{claim} ^{is} for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

- | | | |
|----|--|---|
| 3. | Name and Address of Former Owner/Claimant(s) | <u>Monroc Inc.</u>
<u>P.O. Box 8388, Boise, Idaho 83707</u> |
| 4. | New Owner/Claimant(s) | <u>Staker & Parson Companies, Inc.</u>
Name Connector (Check one): [] and, [] or, [] and/or |
| | New Mailing Address | <u>2350 South 1900 West</u> |
| | City, State and ZIP Code | <u>Ogden, Utah 84401</u> |
| | New Telephone Number | <u>(801) 258-3900</u> |
| 5. | Date you acquired the property | <u>February 4, 2002</u> |

COPY

SCANNED

AUG 11 2004

RECEIVED

AUG 05 2004

DEPARTMENT OF
WATER RESOURCES

COPY

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split
63-15014	A63-15014	No
63-10189	A63-10189	No
_____	_____	_____
_____	_____	_____

Water Right No(s).	Adjudication Claim No(s).	Split
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

RECEIVE

AUG 12 2004

WATER RESOURCE
WESTERN REGION

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions): **PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Monroc Inc.
P.O. Box 8388, Boise, Idaho 83707
4. New Owner/Claimant(s) Staker & Parson Companies, Inc.
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 2350 South 1900 West
- City, State and ZIP Code Ogden, Utah 84401
- New Telephone Number (801) 258-3900
5. Date you acquired the property February 4, 2002

COPY

SCANNED

AUG 11 2004

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number	<u>N/A</u>	
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number	<u>N/A</u>	
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

[Handwritten Signature]
Operations Manager

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by S.O. Date 8-5-04 Fee 0
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED
 AUG 11 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 63-15014

1. No Change NAME IS SAME

NEW OWNER: Idaho Concrete Company *Need change of ownership*

No Change ADDRESS

NEW ADDRESS: 2755 EAST STATE P.O. Box 1580 Eagle 2d 83616

2. No Change - DATE OF PRIORITY: Completed evidence submitted
Incomplete - Claimant should be asked during the exam when was water first
used and submit proof of date of priority.

Priority date, per claimant, is: 8-1-1970 Sent in Affidavit
(If the priority date, based on your exam, seems questionable, explain below.)

3. No Change - SAME SOURCE

Source is different than that claimed:

Source found: _____

4. No Change — POINT OF DIVERSION 2313007 - 1389258

Point of diversion is different than the claim and/or new P/D's:

P.O.D. maybe in SW SE ? Need to check GPS Locations

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. No Change - DESCRIPTION OF DIVERTING WORKS

Incomplete description, list below:

100 HP Motor; This motor has replaced the 25 HP motor same
pump. They do not use any more water now just more efficient.

6. No Change - WATER USES
Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. No Change - TOTAL VOLUME

Incomplete on claim, the total is, Amount See work sheet CFS 257.8 AFA 173.56

Changes found, the new total is, Amount _____ CFS _____ AFA _____

1 cfs = 1.9835 acft/day; 8 HRS/day; 5 days/wk; 52 wks/yr x 1.5 cfs

8. No Change - NON-IRRIGATION USES: $1.9835 \div 3 = .661 \times 5 = 3.3 \times 52 = 171.9 \times 1.5 =$

Changes Exam found: $1.9835 \div 3 = .661 \times 5 = 3.3 \times 35 = 115.7 \times 1.5 =$

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. No Change - PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) See additional attachment

SYSTEM DIAGRAM INCLUDED

NA

Shown on GIS Layout

CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 3-11-2004

FIELD EXAMINER:

MELVIN GENE GIBSON

Print Name

Melvin Gene Gibson
Signature

THEORETICAL HORSEPOWER EQUATION WORKSHEET (cjh 1/92)

Water Right No.: 63-15014
Examiner: Melvin Gene Gibson
Date of Field Exam: 3/11/2004

P/D No.:	OPTION 1	OPTION 2	OPTION 3
PUMP HORSEPOWER	100	25	0
BOOSTER HORSEPOWER	0	0	0
PUMPING LEVEL	50	40	
DISCHARGE PRESSURE	50	25	0
RATE OF FLOW (cfs)	3.72	1.58	#DIV/0!

THEORETICAL HORSEPOWER EQUATION WORKSHEET (cjh 1/92)

Water Right No.: 63-15014
Examiner: Melvin Gene Gibson
Date of Field Exam: 3/11/2004

P/D No.:	OPTION 1	OPTION 2	OPTION 3
PUMP HORSEPOWER	100	0	0
BOOSTER HORSEPOWER	0	0	0
PUMPING LEVEL	50	0	
DISCHARGE PRESSURE	50	0	0
RATE OF FLOW (cfs)	3.72	#DIV/0!	#DIV/0!



ENW

SWNE

SENE

15

2819 E. State
Eagle 83616

NES

NESE

SWSE

SESE

ESW

ENW

SWNE

SENE

15

NESE

NES

SWSE

SESE

ESW

W

ENW

SWNE

SENE



NESE

SWSE

SESE

SESW

ENW

63-15014 : Idaho Concrete Company

- Current Owner is no longer Monroc, but Idaho Concrete Company. We need a Change in Ownership - Kirk Ellingford said he is working on one, but please remind them.
- Evidence of Priority has been submitted.
- To setup field exam, call: Dan Capper ^{# 939-3689}
OR ^{# 939-6831}
^(office)
Kirk Ellingford (Boise Operations Manager)
(W) # 345-3412
Mobile # 573-5922
- Please verify all the elements of this B/U claim - source, industrial use, POD, POU, diversion rate, etc.
- According to 2002 Tax lot information, the property is located at: (2819 E. State
(4N 1E S15, NWSE) Eagle 83616

FX Contact: Dan Capper (W) # 939-3689
OR

Page 1

Kirk Ellingford (W) 345-3412

01/08/2004

IDAHO DEPARTMENT OF WATER RESOURCES (Mobile) 573-5922
Adjudication Claim Report 63-15014

WATER RIGHT NUMBER: 63-15014

Owner Type

Original Owner

Name and Address

ZIONS FIRST NATIONAL BANK
ONE S MAIN ST
SALT LAKE CITY, UT 84133

MONROC INC
C/O RICHARD FRISBY
PO BOX 8388
BOISE, ID 83707
(208)939-6831

Current Owner:

Idaho Concrete Company

PO Box 1580

2755 E. State

Eagle, ID

83616

office #

939-6831

Priority Date: ~~07/04/1969~~

8/01/1970

Basis: Beneficial Use

Status: Active

(Affidavit)

Source

WASTE WATER

Tributary

BOISE RIVER

Beneficial Use

INDUSTRIAL

From To

4/01 to 12/01

Diversion Rate

1.500 CFS

Annual Volume

Total Diversion:

1.500 CFS

Location of Point(s) of Diversion

WASTE WATER

ADA County

NW1/4SE1/4

Sec. 15, Twp 04N, Rge 01E, B.M.

Place of Use

INDUSTRIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
04N	01E	15													X				

Conditions of Approval:

Remarks:

1. General WATER FOR PROCESSING AGGREGATES AND CONCRETE TRUCKS

Comments:

Dates and Other Information:

Idaho Department of Water Resources



T04N, R01E, S15

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2435 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

Claim No: 63-15014

Prepared By: Kimberly Brown

Date: August 19, 2004

Point of Diversion

Place of Use

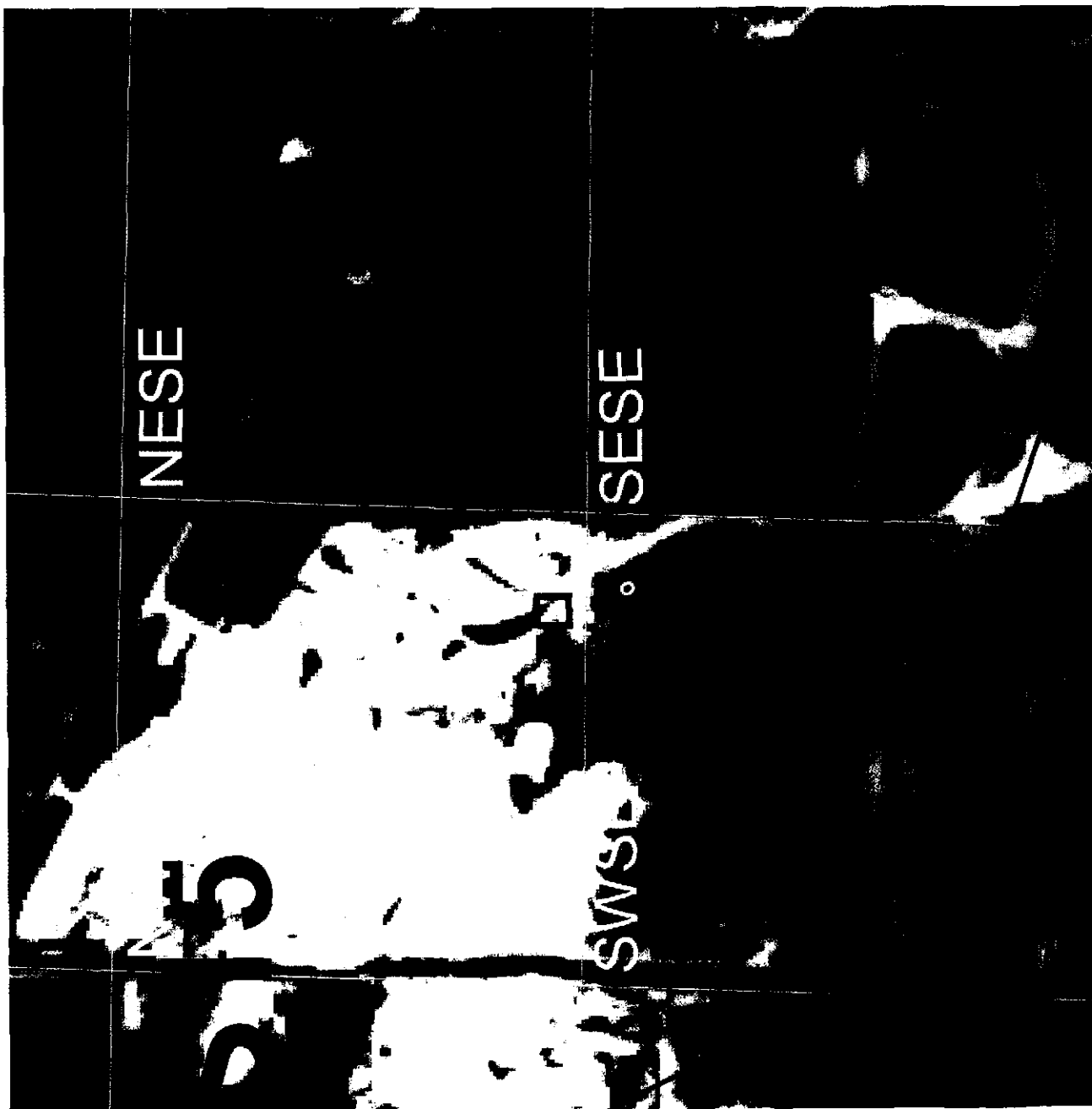
Section Lines

1/4 1/4



DIRK KEMPTHORN
Governor
CARL J. BREHER
Director

1987 NAPP



0 0.1 0.2 0.3 0.4 Miles





KIRK ELLINGFORD

Boise Operations Manager

Phone: 208-345-3411 **2**

Fax: 208-345-8397

Mobile: 208-~~444-1122~~

575-5922

www.idahoconcrete.com

P.O. Box 1580 2755 East State

Eagle, Idaho 83616

RECEIVED

JAN 07 2004

WATER RESOURCES
WESTERN REGION

Kimberly

AS per our Phone conversation.
here IS AFFIDAVIT on the
Evidence OF Priority. For the
CLAIM # A63-15814.

I Am STILL working on getting
The NAME change over Done
And will Get it To you AS
Soon AS it is Finished.

Agin THANK you For your Help

Keith Ellingford

RECEIVED

JAN 07 2004

WATER RESOURCES
WESTERN REGION

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 NO. 39576

CLAIM NO. A63-15014

AFFIDAVIT OF
RICHARD JOHNSON

RICHARD JOHNSON being first duly sworn on oath deposes and says:

1. I am above the age of 18 years and have personal knowledge of the facts contained herein;
2. In August 1970, I was an employee of RTP Concrete;
3. Based on information and belief, RTP Concrete was the predecessor in interest to Monroc, Inc., and Monroc, Inc. was the predecessor in interest to Idaho Concrete Co., with respect to the real property and water rights to that property described herein;
4. In August 1970, I witnessed the insertion of a pump to divert water from the holding ponds which are tributaries to the Boise River;
5. The location of the real property where the water diverted by RTP Concrete was being put to beneficial use is: Township 04N; Range 01E; Section 15; NW ¼ of SE ¼;
6. This water was being put to beneficial use by RTP Concrete for industrial purposes.

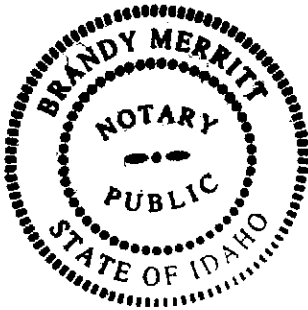
FURTHER YOUR AFFIANT SAYETH NAUGHT.

DATED this 19 day of December, 2003.

By: Richard Johnson
Richard Johnson

STATE OF IDAHO)
) ss.
County of Ada)

SUBSCRIBED AND SWORN to before me this 19 day of December, 2003.



Brandy Merritt
NOTARY PUBLIC FOR STATE OF IDAHO
Residing at: Nampa Id
My commission expires: 2-20-09

CONVERSATION MEMORANDUM

RE: Snake River Basin Adjudication Water Right No. 63-15014 Evidence of Priority

October 2, 2003

Dan Capper called in response to the evidence of priority letter I sent on September 4, 2003. Dan was confused about what was required and requested clarification. After I explained the reason for the evidence, Mr. Capper informed me that Monroc is no longer the current owner and that the company is now owned by a division of Idaho Concrete. He also stated that "we haven't changed a thing;" that the water is still being used for water in concrete trucks and for processing aggregates. Due to the change in ownership, I sent a Change in Ownership form to: Idaho Concrete, 2755 State St., Eagle, ID 83616

November 19, 2003

Eric, also an employee of Idaho Concrete whom this task of supplying evidence of priority must have been given to from Dan Capper, called and stated that he is having a difficult time obtaining the evidence of priority and, therefore, requested more time to submit. I, therefore, gave the company a few more weeks to submit the evidence.

December 3, 2003

Kirk Ellingford, another employee of Idaho Concrete who apparently has also been give this task, called and requested another month to submit the evidence of priority.

January 1, 2004

Kirk Ellingford called to let me know that he will be sending an affidavit written by a former Vice President who worked for the company in 1970.

Kimberly Brown
Sr. Water Resource Agent
Western Region

IMPORTANT MESSAGE

FOR

Kimberly

DATE

9-29

TIME

11:27

A.M.
P.M.

WHILE YOU WERE OUT

M

San Rapper

OF

Idaho Concrete

PHONE NO.

939-3689

TELEPHONED

PLEASE CALL

X

CALLED TO SEE YOU

WILL CALL AGAIN

WANTS TO SEE YOU

URGENT

RETURNED YOUR CALL

MESSAGE

Questions on letter

Received

9-29-03 LMOM

9-30-03 rude "sec"

SIGNED

OH

IDAHO DEPARTMENT OF WATER RESOURCES

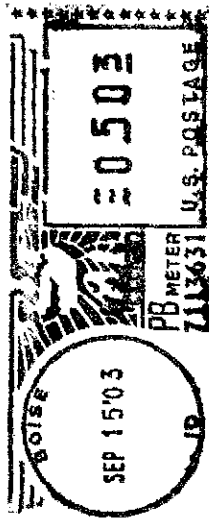
WESTERN REGION

2735 Airport Way

Boise, Idaho 83705-5082

RETURN SERVICE REQUESTED

RECEIVED
FIRST CLASS



RECEIVED

SEP 22 2003

WATER RESOURCES
WESTERN REGION



MONROC INCORPORATED
2819 E. STATE ST.
EAGLE, ID 83616

A63-15014

Evidence of Priority letter

9.22.03 3rd attempt to contact claimant, MONROC INC.

resent to: 2755 E. State St.

Eagle, ID 83616

10.2.03 Dan Capper called - 3rd attempt to contact claimant is correct:

Idaho Concrete Co.

2755 E. State St.

Eagle, ID 83616

(No longer Monroc)

(208) 839-6831



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 4, 2003

MONROC, INC
1730 BECK ST
SALT LAKE CITY, UT 84116

*Need
phone #*

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-15014

Dear Claimant(s),

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out or re-file it. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date."

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future. Since it is our goal to decree the historical water rights within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area.

The required evidence supporting the priority date(s) requested needs to be submitted by October 2, 2003. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

In addition, please contact me within the time frame listed above in order to schedule a field exam.

Respectfully Submitted,

Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-15014

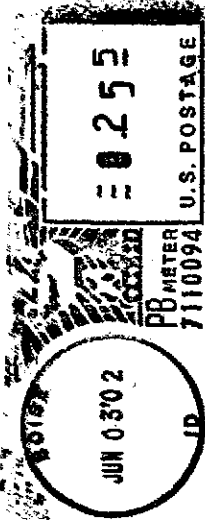
NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

RECEIVED
JUN 12 2002
WATER RESOURCES
WESTERN REGION

PRESORTED
FIRST CLASS



03-10189
15014

Return to sender: person/company
not at
this
address

RETURNED
TO
SENDER
UNDELIVERABLE AS ADDRESSED
NO FORWARDING ORDER ON FILE

MONROC INC
C/O RICHARD FRISBY
PO BOX 8388
BOISE ID 83707

Found



03.03 sent Evidence of Priority letter to:

Monroc Inc.
1730 Bede St.
Salt Lake City, UT 84116

DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

Zions First National Bank, for itself and as agent for Chemical Bank, hereby assigns to Monroc, Inc., a Delaware corporation, with its principal place of business at 1730 Beck Street, Salt Lake City, Utah 84116, all of their right, title and interest in and to Water Right Permit #A63-15014, to appropriate public waters of the State of Idaho.

Made this 14th day of September 1993.

ZIONS FIRST NATIONAL BANK
for itself and as agent for
CHEMICAL BANK

By Robert W. Boyd
Its Vice President

Attest:

By _____
Title _____

This Assignment is given as a reconveyance of collateral security upon satisfaction of certain obligations of Monroc to Zions First National Bank.

MICROFILMED

JUL 26 1994

05/24/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-15014

NAME AND ADDRESS: STAKER & PARSONS COMPANY
2350 SOUTH 1900 WEST
OGDEN UT 84401

SOURCE: WASTE WATER

TRIBUTARY: BOISE RIVER

QUANTITY: 1.500 CFS

PRIORITY DATE: 08/01/1970

POINT OF DIVERSION:

T04N R01E S15 SWSE Lot 2 Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

INDUSTRIAL

01/01 12/31

1.500 CFS

PLACE OF USE: INDUSTRIAL Within ADA County

T04N R01E S15 NWSE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

INDUSTRIAL USE IS FOR PROCESSING AGGREGATES AND CONCRETE TRUCKS.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

May 24, 2005

Staker & Parsons Company
2350 S 1900 W.
Ogden UT 84401

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Re: Notice of Claim to a Water Right No. 63-10189, 63-15014

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflect the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a final determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed information, please feel free to contact this office.

Sincerely,

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure