

07/11/2002

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

RIGHT NUMBER: 29-7076

NAME AND ADDRESS: ASH GROVE CEMENT CO  
6720 SW MACADAM AVE  
STE 300  
PORTLAND OR 97219-2312

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.04 CFS  
29.0 AFY

PRIORITY DATE: 02/16/1972

POINT OF DIVERSION:

T07S R36E S28 NENENW Within BANNOCK County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
INDUSTRIAL

PERIOD OF USE  
01/01 12/31

QUANTITY  
0.040 CFS  
29.00 AFY

PLACE OF USE: INDUSTRIAL Within BANNOCK County

T07S R36E S21  
T07S R36E S28

SWSE  
NENW

T07S R36E S28

NWNE

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: License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT  
TO SECTION 42-1425, IDAHO CODE.

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 29-7076 V1

WATER RIGHT NUMBER: 29-7076 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                                           |
|-------------------|---------------------------------------------------------------------------------------------------|
| Original Owner    | ASH GROVE CEMENT WEST INC<br>230 CEMENT RD<br>INKOM, ID 83245<br>(208)775-3351                    |
| Current Owner     | ASH GROVE CEMENT CO<br>6720 SW MACADAM AVE<br>STE 300<br>PORTLAND, OR 97219-2312<br>(503)293-2333 |

Priority Date: 02/16/1972

Basis: License

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| INDUSTRIAL            | 01/01 to 12/31          | 0.040 CFS             | 29.00 AF             |
|                       | <u>Total Diversion:</u> | 0.040 CFS             | 29.00 AF             |

Location of Point(s) of Diversion

|                |                 |                                 |
|----------------|-----------------|---------------------------------|
| GROUND WATER   | NE1/4NE1/4NW1/4 | Sec. 28, Twp 07S, Rge 36E, B.M. |
| BANNOCK County |                 |                                 |

Place of UseINDUSTRIAL Within BANNOCK County

|               |      |               |      |
|---------------|------|---------------|------|
| T07S R36E S21 | SWSE | T07S R36E S28 | NWNE |
| T07S R36E S28 | NENW |               |      |

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C18 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.

Remarks:Comments:Dates and Other Information:

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7076 V1

Dates and Other Information:

Decreed Date:  
 Enlargement Use Priority Date:  
 Enlargement Statute Priority Date:  
 Defendant:  
 Plaintiff:  
 Civil Case Number:  
 Judicial District:  
 Notice of Error Flag:  
 State or Federal: S  
 Owner Name Connector:  
 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

Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Priority Date  | 7/11/2002 10:55:38 AM     | csaxton         |                           |                 | Active        |
| POD            | 7/11/2002 10:55:50 AM     | csaxton         |                           |                 | Active        |
| Source         | 7/11/2002 11:00:14 AM     | csaxton         |                           |                 | Active        |
| POU            | 7/11/2002 11:02:27 AM     | csaxton         |                           |                 | Active        |
| Use            | 7/11/2002 11:04:22 AM     | csaxton         |                           |                 | Active        |
| Season         | 7/11/2002 11:04:49 AM     | csaxton         |                           |                 | Active        |
| Quantity       | 7/11/2002 11:05:40 AM     | csaxton         |                           |                 | Active        |
| Summary        |                           |                 | 07/11/2002                | csaxton         | Active        |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u>                                                                                                                                                                                                                              |
|----------------|------------------------|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Contacts       | 7/11/2002 10:55:04 AM  | csaxton         | (No) 1. Do you want to schedule an appointment?<br><br>Comment for 1: Field Exam 5/29/02                                                                                                                                                     |
| POD            | 7/11/2002 10:55:51 AM  | csaxton         | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a POD?<br>(Yes) 5. Can the claimed POD be verified using the water right file?<br>(No) 10. Is a POD remark and/or condition required?   |
| Source         | 7/11/2002 11:00:15 AM  | csaxton         | (Yes) 1. Is the basis of claim Decree or License?<br>(Yes) 4. Does the Decree or License have a source?<br>(Yes) 5. Can the claimed source be verified using the water right file?<br>(No) 11. Is a Source remark and/or condition required? |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 29-7076 V1

|               |                       |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|---------------|-----------------------|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Use           | 7/11/2002 11:04:23 AM | csaxton | <p>(Yes) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a Purpose of Use?</p> <p>(Yes) 5. Can the claimed Purpose of Use be verified using the water right file?</p> <p>(No) 13. Is a Purpose of Use remark and/or condition required?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Season        | 7/11/2002 11:04:50 AM | csaxton | <p>(Yes) 1. Is the basis of claim Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a Period of Use?</p> <p>(Yes) 5. Can the claimed Period of Use be verified using the water right file?</p> <p>(No) 14. Is irrigation claimed as a Purpose of Use?</p> <p>(No) 18. Is a Period of Use remark and/or condition required?</p>                                                                                                                                                                                                                                                                                                                                                                                                          |
| POD           | 7/11/2002 10:58:22 AM | csaxton | Edited point location                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Priority Date | 7/11/2002 10:55:38 AM | csaxton | <p>(No) 1. Should this water use have been included in a later court decree of the water rights from this source?</p> <p>(Yes) 4. Is the basis of claim decree or license?</p> <p>(Yes) 5. Does the decree or license have a Priority Date?</p> <p>(Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?</p> <p>(Yes) 15. Is the basis of claim coded correctly?</p> <p>(No) 16. Is a Priority Date remark and/or condition required?</p>                                                                                                                                                                                                                                                                                              |
| POD           | 7/11/2002 10:58:49 AM | csaxton | Edited PLS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| POU           | 7/11/2002 11:02:27 AM | csaxton | <p>(Yes) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 2a. Is the POU required?</p> <p>(Yes) 5. Does the Decree or License have a POU?</p> <p>(No) 6. Can the claimed POU be verified using the water right file?</p> <p>(Yes) 7. Is there evidence that there has been a change in the POU?</p> <p>(Yes) 8. Can the claim be verified as an accomplished transfer?</p> <p>(Yes) 13. Does the file contain all the necessary information to verify the POU?</p> <p>(No) 14. Is a POU remark and/or condition required?</p> <p>Description for Question 8 - Licensing field exam shows use during exam that matches Claimed POU. I do not know why it was not licensed.</p> <p>Description for Question 13 - Field exam on 5/29/02.</p> |

5/24/02 : 1-800-237-8535 - Unknown

Ronda is office Manager

: Called and left Message to call Back : 4/15

5/28/02 Craig Pullman - Field Exam - Setup by phone

8/29/02 : Look up 29-07855 - license that I don't have  
or Record - license for 0.67 cfs + 4385 AF  
Capacity of 0.720 cfs according

: Look up 29-07151 - 1973 - Permit - look if larger  
says well #3

: Total of 4 wells + River Pump.

: All pump into a common system into a tank. Unknown size  
James showing the system - been here since 1984

: #1 10 horse submersible  
Gould 6 C1010 GHP  
Replacement last fall 100' deep  
100 - 800 GPM  
7.5 HP Franklin  
Gravello 22275  
Supply well. Running only  
#2 10 HP Franklin  
Gravel 1505100-05  
180 GPM  
#4 Unknown  
800' deep Pump  
5 GM Drinking water 170' deep  
406-550 Model  
7-17-00 - Amps 8.9  
From Meter McDonette

350  
5/23/02 = 3275-202  
PH/HZ CO  
Volt 460  
River Pump Interwell 3 or 4  
Months out of  
RTU-37  
5 HP 5 up pump  
Assigned to Run 150 GPM  
#132 GPM  
#100 GPM  
#250 - 860 GPM  
Storage Water tank  
# 19.5 FT diameter  
5' + 8' = 8'6" = 24'6" high

B/W 102700  
102700 B/W

643132  
189352

PROFITED

APR 13 2005

SCANNED



Subject

~~10/15/02~~ 5/29/02

System Diagram

Date

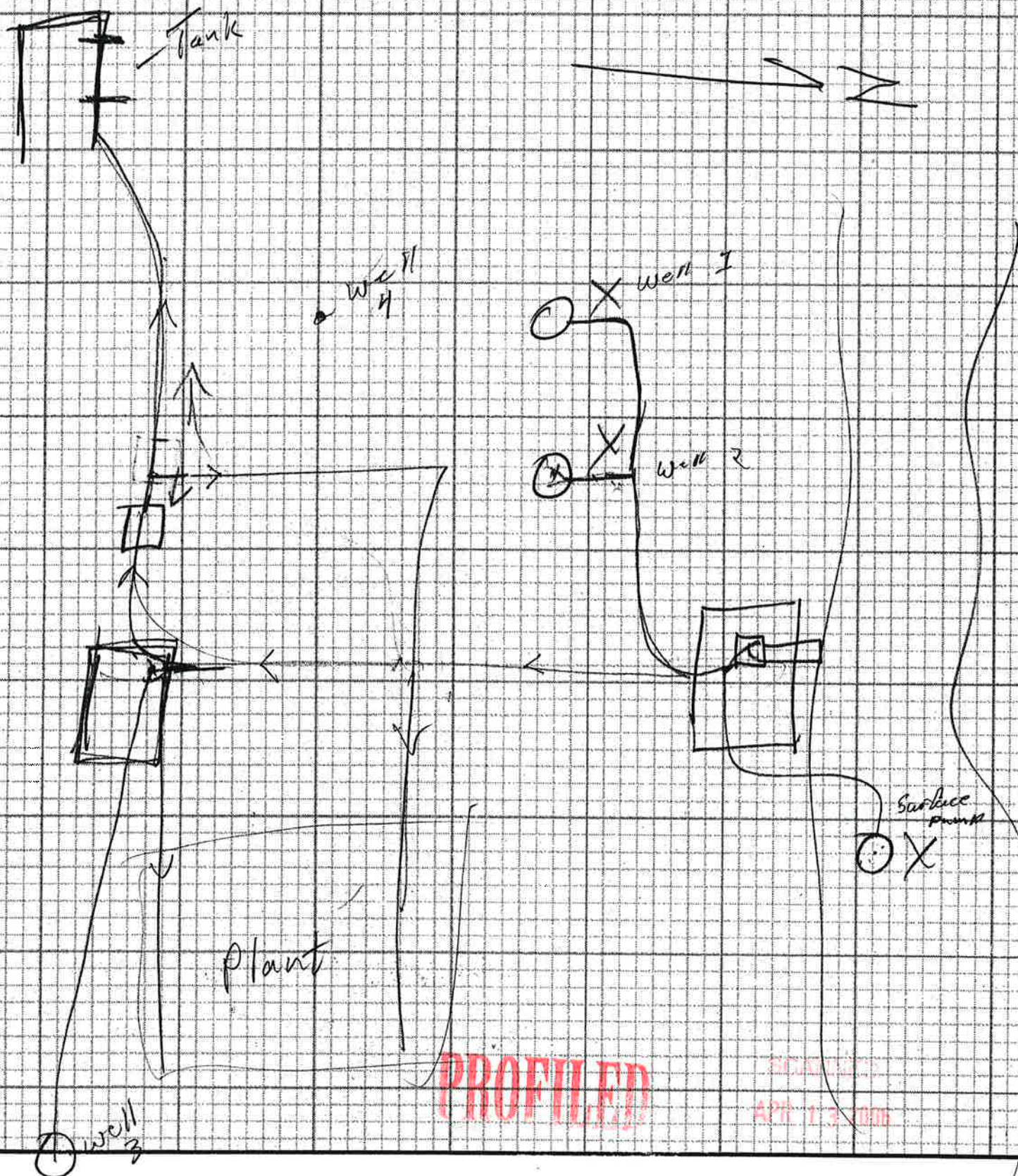
Sheet

of

Job

By

Chkd.



29-07076  
Well 4  
5/24/02



Well is actually located behind Blue pressure tank

Well

#4: Unknown Type

200' deep

15 GPM

Pump 175' deep

Model 406-550

Amps 8.9

SV 034-3275-202

PH/HZ 60

Volt 460

SCANNED  
APR 13 2006

PROFILED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

SCANNED

JUN 13 2001

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"

MICROFILMED

NOV 13 1992



# 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)  
By: John H. Ross III, Vice President Date 12/31/91
- ☐ Signature of Former Owner/Claimant(s)  
By: 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:

**MICROFILMED**  
NOV 13 1992

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

State of Idaho  
Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 29-7076 Priority Feb. 16, 1972 Amount 0.04 cfs

THIS IS TO CERTIFY, that Idaho Portland Cement Company  
of Inkom, Idaho, has complied with the terms and conditions of Permit  
No. 29-7076 issued pursuant to Application for Permit dated February 16, 1972  
and has submitted proof to the Department of Water Administration on April 17, 1973  
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a  
capacity for the diversion of 0.04 cfs of water from a ground water source,  
tributary to \_\_\_\_\_, and that the permit holder has applied to a beneficial use &  
established a right to use water as follows:

| Beneficial Use | Period of Use          | Rate of Diversion | Annual Volume    |
|----------------|------------------------|-------------------|------------------|
| Industrial     | from Jan. 1 to Dec. 31 | at 0.04 cfs       | and 29 acre feet |
|                | from _____ to _____    | at _____ cfs      | and _____        |
|                | from _____ to _____    | at _____ cfs      | and _____        |

(All dates inclusive)

Subject, however, to the condition that no more than 0.04 cfs of water be diverted at any one time, and  
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose  
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed  
29 acre feet per year, and waters to be diverted within the NE 1/4 NW 1/4 of Sec. 28,

Twp. 7 S, R. 36 E, B. 1 E in the County of Bannock

Description and location of place of use:

| Twp. | Range | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|-------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |       |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 7 S  | 36 E  | 21   |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres irrigated \_\_\_\_\_

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 9 day of  
January, 19 74.

Director

*[Signature]*  
29-7076

**DEPARTMENT OF WATER ADMINISTRATION**  
FIELD REPORT

*after*  
*8/1/73*  
*JF*

1. Name of permit holder Idaho Portland Cement Company  
Post office address Inkom, Idaho Phone \_\_\_\_\_  
Person to contact Harry F. Bassett, Inkom, Idaho Phone \_\_\_\_\_

2. Source of water supply: Groundwater ☒ Surface water ☐ \_\_\_\_\_  
(name spring, stream, etc.)  
Tributary to \_\_\_\_\_

3. Water will be used for the following purposes:

Amount 0.67 c.f.s. for Industrial  
\_\_\_\_\_ AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31  
(mo.-day) inclusive (mo.-day)

Amount \_\_\_\_\_ c.f.s. for \_\_\_\_\_  
\_\_\_\_\_ AF/Annum (nature of use)

Period of Use: from \_\_\_\_\_ to \_\_\_\_\_  
(mo.-day) inclusive (mo.-day)

Amount \_\_\_\_\_ c.f.s. for \_\_\_\_\_  
\_\_\_\_\_ AF/Annum (nature of use)

Period of Use: from \_\_\_\_\_ to \_\_\_\_\_  
(mo.-day) inclusive (mo.-day)

Other uses: \_\_\_\_\_

Permit No. 29-7076  
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 0.67 cubic feet per second and annual volume \_\_\_\_\_ AF/Annum.

5. Location of Point(s) of Diversion:

Township 7 S N/S, Range 36 E E/W, B.M., Section 28, Subdivision NE 1/4 NW 1/4 Bannock  
County  
Township \_\_\_\_\_ N/S, Range \_\_\_\_\_ E/W, B.M., Section \_\_\_\_\_, Subdivision \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County  
Township \_\_\_\_\_ N/S, Range \_\_\_\_\_ E/W, B.M., Section \_\_\_\_\_, Subdivision \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County

Other Points of Diversions: \_\_\_\_\_

Description of diverting works: well, 5-hp pump, Badger Meter-Model MDIM 4"  
(used for restroom facilities at crushing plant and for small spray system for the  
reduction of dust)

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

| TWP.                                                    | RANGE       | SEC.      | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|---------------------------------------------------------|-------------|-----------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|                                                         |             |           | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 7 S                                                     | 36 E        | 21        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | X      |        |
|                                                         | <u>36 E</u> | <u>28</u> |        |        | X      |        |        |        | X      |        |        |        |        |        |        |        |        |        |        |
| <p><i>additional place of use</i><br/><i>8/1/73</i></p> |             |           |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

29-7076

TOTAL ACREAGE \_\_\_\_\_

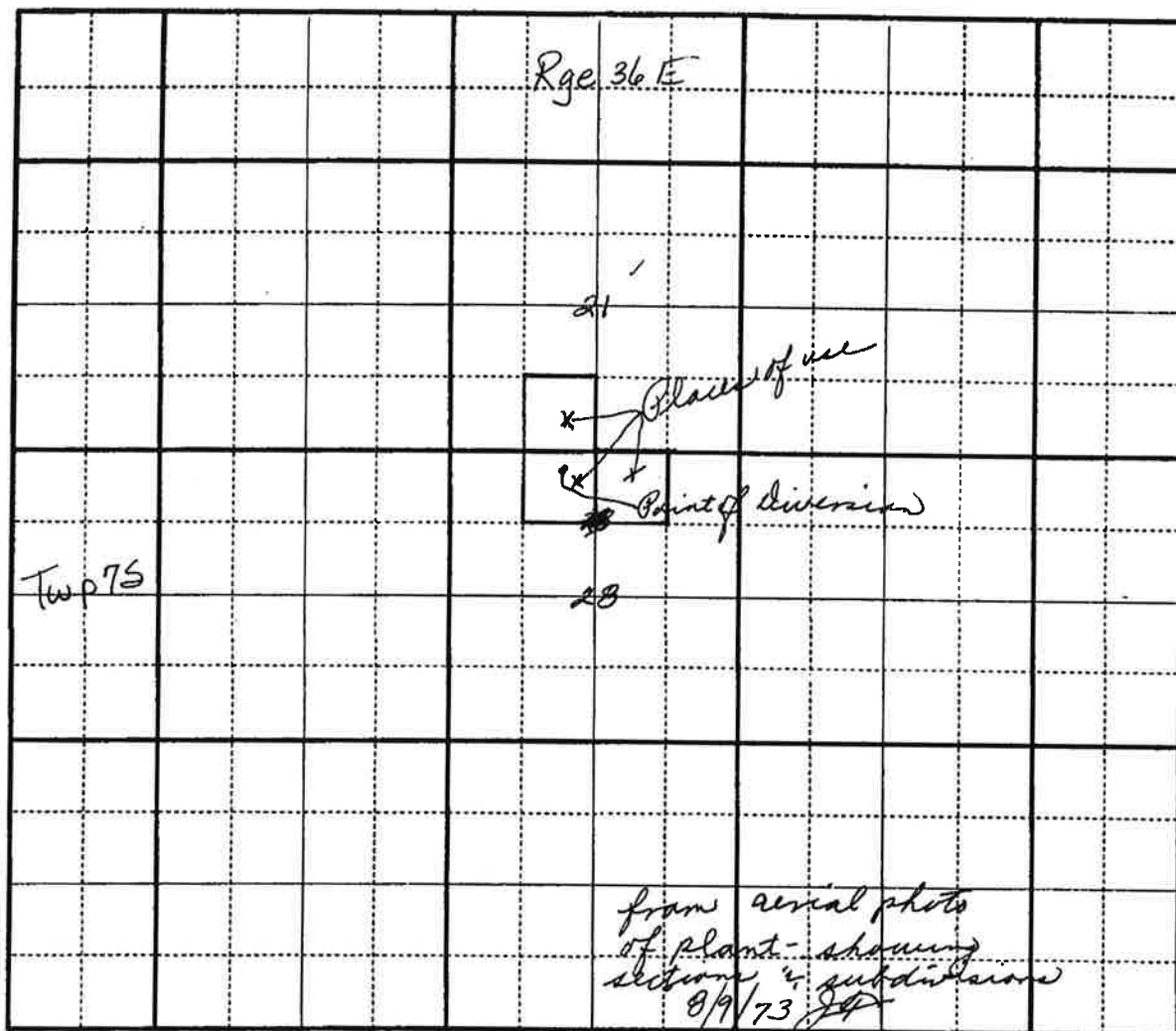
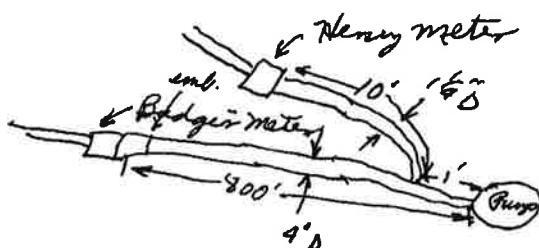


Diagram of System



DATE OF EXAM Aug 9, 1973

ACREAGE

Found \_\_\_\_\_  
Recommended N/A

Irrigation Requirement N/A Ac Ft/Ac

USE Industrial .04 c.f.s. V = 29 AF/Ann. from Jan 1 to Dec 31  
Irrigation Q = \_\_\_\_\_ c.f.s. V = \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_  
Domestic Q = \_\_\_\_\_ c.f.s. V = \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_  
Livestock Q = \_\_\_\_\_ c.f.s. V = \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_

Is water co-mingled? yes \_\_\_\_\_ no ☒

Name source: \_\_\_\_\_  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County \_\_\_\_\_

Exchange? yes \_\_\_\_\_ no ☒

Name source exchanged with: \_\_\_\_\_  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County \_\_\_\_\_

Point of injection: \_\_\_\_\_  
twp. \_\_\_\_\_ N/S, Rge N/A, Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County \_\_\_\_\_

Point of exchange: \_\_\_\_\_  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County \_\_\_\_\_

Total Q measured .04 CFS Method of measurement Honey meter  
Total Q recommended .04 CFS Badger - Plate Observed - in line good  
Meter No. 8098300 Type In line Condition good

Total V recommended 29 AF

Recommended Amendments:

P.D. \_\_\_\_\_  
Place of Use ☒  
Other \_\_\_\_\_  
None \_\_\_\_\_

MEASUREMENT CALCULATION:

Honey 10 gal in 56 seconds = 20 gal/min ÷ 498.8 = .04 CFS  
Badger 10 gal in 60 sec.

$$V = (.04)(1.9835)(365) = 29 AF$$

SYSTEM DESCRIPTION:

5HP Red Jacket pump model 170C #62P16P2 bell in 8" D casing w/  
submersible pump 4" discharge east to plant along 2" b  
line - (water) then south to pressure tanks then  
through Honey meter

REMARKS: flow is low because system was not developed as large  
as planned originally  
system shown by Mr. John Stally  
plans of use confirmed by aerial photo from plant files  
flow to plant is surplus surge system - flow through  
Badger meter was hard to cty with any degree  
of accuracy - best estimate 10 gal/min

Examiner's Signature John F. Enbauer Date Aug 9, 1973

Checked by WR Rhoads Date Nov 30, 1973

Approved by \_\_\_\_\_ Date \_\_\_\_\_

29-7076

## WELL DRILLER'S REPORT

State law requires that this report be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

[illegible]

**USE ADDITIONAL SHEETS IF NECESSARY**

29-7076

JUN 13 2001

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: A29-07076  
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 503-293-2333  
Address: 6720 SW MACADAM AVE  
SUITE 300  
PORTLAND OR 97219-2312

2. Date of Priority: FEB 16, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

|          |       |         |        |        |     |     |         |
|----------|-------|---------|--------|--------|-----|-----|---------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
| 07S      | 36E   | 28      |        | NE     | NW  |     | BANNOCK |

5. Description of diverting works:

6. Water is used for the following purposes:

|            |       |       |       |      |        |
|------------|-------|-------|-------|------|--------|
| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
| INDUSTRIAL | 01/01 | 12/31 | 0.040 |      | 29.00  |

7. Total Quantity Appropriated is:  
0.040 C.F.S. (and/or) 29.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

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 |       |

A2907076



MICROFILMED

NOV 13 1992

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:

14. Remarks:

WATER FROM THIS WELL IS USED AT BOTH THE CRUSHING PLANT AND THE MAIN PLANT.

15. Basis of Claim: LICENSE

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  
NOV 13 1992

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: A29-07076  
Date Received: 10/18/1988  
Receipt No: E003255  
Received By: EMC

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: FEB 16, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County  |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 07S      | 36E   | 28      | NE     | NE     | NW     |     | BANNOCK |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| INDUSTRIAL | 01/01 | 12/31 | 0.040  |      | 29.00  |

7. Total Quantity Appropriated is:  
0.040 C.F.S. (and/or) 29.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

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

11. Place of use in counties: BANNOCK

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Page 1

Date: 10/18/88

MICROFILMED  
NOV 13 1992

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

13. Other Water Rights Used:

14. Remarks:

WATER FROM THIS WELL IS USED AT BOTH THE CRUSHING PLANT AND THE MAIN PLANT.

15. Basis of Claim: LICENSE

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 PROCESS ENGINEER of

ASH GROVE CEMENT TRUST, INC. Organization, that I have signed the foregoing

document in the space below as PROCESS ENGINEER of

ASH GROVE CEMENT TRUST, INC. Organization and that the statements contained in the

foregoing document are true and correct.

Dennis Voldback  
Signature of Authorized Agent

PROCESS ENGINEER - ASH GROVE CEMENT TRUST, INC.  
Title and Organization

OCTOBER 18, 1988  
Date

State of Idaho

County of Bonneville )  
 ) SS.

Subscribed and sworn (or affirmed) before me this 18 day

of October 19 88

Ernest Carlson  
Notary Public

Seal.

Residing at Blake Falls, ID

My Commission Expires 14 June 1994

SW 1/4 MS

NW 1/4 MN

MICROFILMED  
NOV 13 1992

33 34  
28 27

32 33  
29 28

SW 1/4 SE 1/4  
40.0

SW 1/4 SE 1/4  
40.0

SE 1/4 SW 1/4  
40.0

SW 1/4 MS  
40.0

NW 1/4 MS  
40.0

NW 1/4 SE 1/4  
40.0

NE 1/4 SW 1/4  
40.0

NW 1/4 MS  
40.0

SW 1/4 SE 1/4  
40.0

SW 1/4 SE 1/4  
40.0

SE 1/4 NW 1/4  
40.0

SW 1/4 MN  
40.0

NW 1/4 NE 1/4  
40.0

NW 1/4 NE 1/4  
40.0

NE 1/4 NW 1/4  
40.0

NW 1/4 MN  
40.0

28 27  
21 22

29 28  
20 21

LANE  
161  
91  
30N  
15

BM  
4521



A29-07076

42230  
WERS

SCALE

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 29-7076 V1

|         |                       |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|---------|-----------------------|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POD     | 7/11/2002 11:05:41 AM | csaxton | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a diversion rate and/or volume?<br>(Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file?<br>(Yes) 8. Does the parent right have an annual diversion volume limit?<br>(No) 10. Is a irrigation a purpose of use?<br>(No) 12. Is a Quantity remark or condition required?<br>Description for Question 10 - As licensed.                                                                                                     |
| Summary | 7/11/2002 11:07:08 AM | csaxton | (Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?<br>(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?<br>(Yes) 5. Is an additional remark and/or condition required?<br>(Yes) 6. Would you like to view the recommended right?<br>(No) 7. Is this a split or combined right?<br>(No) 8. Do you have documents you would like to attach or link to the file?<br>(Yes) 9. Would you like to set the verification date? |



IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 29-7076 V1

WATER RIGHT NUMBER: 29-7076 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                                           |
|-------------------|---------------------------------------------------------------------------------------------------|
| Original Owner    | ASH GROVE CEMENT WEST INC<br>230 CEMENT RD<br>INKOM, ID 83245<br>(208)775-3351                    |
| Current Owner     | ASH GROVE CEMENT CO<br>6720 SW MACADAM AVE<br>STE 300<br>PORTLAND, OR 97219-2312<br>(503)293-2333 |

Priority Date: 02/16/1972

Basis: License

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| INDUSTRIAL            | 01/01 to 12/31          | 0.040 CFS             | 29.00 AF             |
|                       | <u>Total Diversion:</u> | 0.040 CFS             | 29.00 AF             |

Location of Point(s) of Diversion

|                |                 |                                 |
|----------------|-----------------|---------------------------------|
| GROUND WATER   | NE1/4NE1/4NW1/4 | Sec. 28, Twp 07S, Rge 36E, B.M. |
| BANNOCK County |                 |                                 |

Place of Use

INDUSTRIAL Within BANNOCK County

|               |      |               |      |
|---------------|------|---------------|------|
| T07S R36E S21 | SWSE | T07S R36E S28 | NWNE |
| T07S R36E S28 | NENW |               |      |

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C18 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.

Remarks:

Comments:

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 29-7076 V1

Dates and Other Information:

Decreed Date:  
 Enlargement Use Priority Date:  
 Enlargement Statute Priority Date:  
 Defendant:  
 Plaintiff:  
 Civil Case Number:  
 Judicial District:  
 Notice of Error Flag:  
 State or Federal: S  
 Owner Name Connector:  
 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

Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Priority Date  | 7/11/2002 10:55:38 AM     | csaxton         |                           |                 | Active        |
| POD            | 7/11/2002 10:55:50 AM     | csaxton         |                           |                 | Active        |
| Source         | 7/11/2002 11:00:14 AM     | csaxton         |                           |                 | Active        |
| POU            | 7/11/2002 11:02:27 AM     | csaxton         |                           |                 | Active        |
| Use            | 7/11/2002 11:04:22 AM     | csaxton         |                           |                 | Active        |
| Season         | 7/11/2002 11:04:49 AM     | csaxton         |                           |                 | Active        |
| Quantity       | 7/11/2002 11:05:40 AM     | csaxton         |                           |                 | Active        |
| Summary        |                           |                 | 07/11/2002                | csaxton         | Active        |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u>                                                                                                                                                                                                                              |
|----------------|------------------------|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Contacts       | 7/11/2002 10:55:04 AM  | csaxton         | (No) 1. Do you want to schedule an appointment?<br><br>Comment for 1: Field Exam 5/29/02                                                                                                                                                     |
| POD            | 7/11/2002 10:55:51 AM  | csaxton         | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a POD?<br>(Yes) 5. Can the claimed POD be verified using the water right file?<br>(No) 10. Is a POD remark and/or condition required?   |
| Source         | 7/11/2002 11:00:15 AM  | csaxton         | (Yes) 1. Is the basis of claim Decree or License?<br>(Yes) 4. Does the Decree or License have a source?<br>(Yes) 5. Can the claimed source be verified using the water right file?<br>(No) 11. Is a Source remark and/or condition required? |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 29-7076 V1

|               |                       |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|---------------|-----------------------|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Use           | 7/11/2002 11:04:23 AM | csaxton | <p>(Yes) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a Purpose of Use?</p> <p>(Yes) 5. Can the claimed Purpose of Use be verified using the water right file?</p> <p>(No) 13. Is a Purpose of Use remark and/or condition required?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Season        | 7/11/2002 11:04:50 AM | csaxton | <p>(Yes) 1. Is the basis of claim Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a Period of Use?</p> <p>(Yes) 5. Can the claimed Period of Use be verified using the water right file?</p> <p>(No) 14. Is irrigation claimed as a Purpose of Use?</p> <p>(No) 18. Is a Period of Use remark and/or condition required?</p>                                                                                                                                                                                                                                                                                                                                                                                                          |
| POD           | 7/11/2002 10:58:22 AM | csaxton | Edited point location                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Priority Date | 7/11/2002 10:55:38 AM | csaxton | <p>(No) 1. Should this water use have been included in a later court decree of the water rights from this source?</p> <p>(Yes) 4. Is the basis of claim decree or license?</p> <p>(Yes) 5. Does the decree or license have a Priority Date?</p> <p>(Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?</p> <p>(Yes) 15. Is the basis of claim coded correctly?</p> <p>(No) 16. Is a Priority Date remark and/or condition required?</p>                                                                                                                                                                                                                                                                                              |
| POD           | 7/11/2002 10:58:49 AM | csaxton | Edited PLS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| POU           | 7/11/2002 11:02:27 AM | csaxton | <p>(Yes) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 2a. Is the POU required?</p> <p>(Yes) 5. Does the Decree or License have a POU?</p> <p>(No) 6. Can the claimed POU be verified using the water right file?</p> <p>(Yes) 7. Is there evidence that there has been a change in the POU?</p> <p>(Yes) 8. Can the claim be verified as an accomplished transfer?</p> <p>(Yes) 13. Does the file contain all the necessary information to verify the POU?</p> <p>(No) 14. Is a POU remark and/or condition required?</p> <p>Description for Question 8 - Licensing field exam shows use during exam that matches Claimed POU. I do not know why it was not licensed.</p> <p>Description for Question 13 - Field exam on 5/29/02.</p> |