

*Sauthers*

State of Idaho  
Department of Water Resources  
**Permit To Appropriate Water**

NO. 36-08791

Priority: June 17, 1999

Maximum Diversion Rate:

2.50 CFS

This is to certify, that **TRIPLE C CONCRETE INC**  
PO BOX 95  
RUPERT ID 83350

has applied for a permit to appropriate water from: **GROUNDWATER**

and a permit is **APPROVED** for development of water as follows:

RECEIVED

SEP 13 1999

Department of Water Resources  
Southern Region

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
INDUSTRIAL	01/01 to 12/31	2.50 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 4 ( NESE), Sec. 7, Township 09S, Range 25E  
MINIDOKA County

PLACE OF USE: INDUSTRIAL

TWN RGE SEC

09S 25E 7 Lot 4 (NESE)

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before **September 1, 2004**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
6. The issuance of this right does not grant any right-of-way or easement across the land of another.
7. Water diverted under this right will at no time be discharged back to the Snake River.
8. Industrial use is for washing gravel.
9. For each acre of pond surface area created in connection with this right, the right holder shall cease irrigating one acre of land. This condition applies to land irrigated with water from the Minidoka Irrigation District or water from any other source. If the lands on which this right is used are excluded from the Minidoka Irrigation District, this right shall be null and void unless prior written authorization, including a revised mitigation plan, is obtained from the department.

36-08791

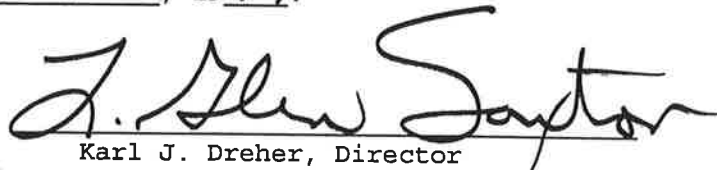
State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

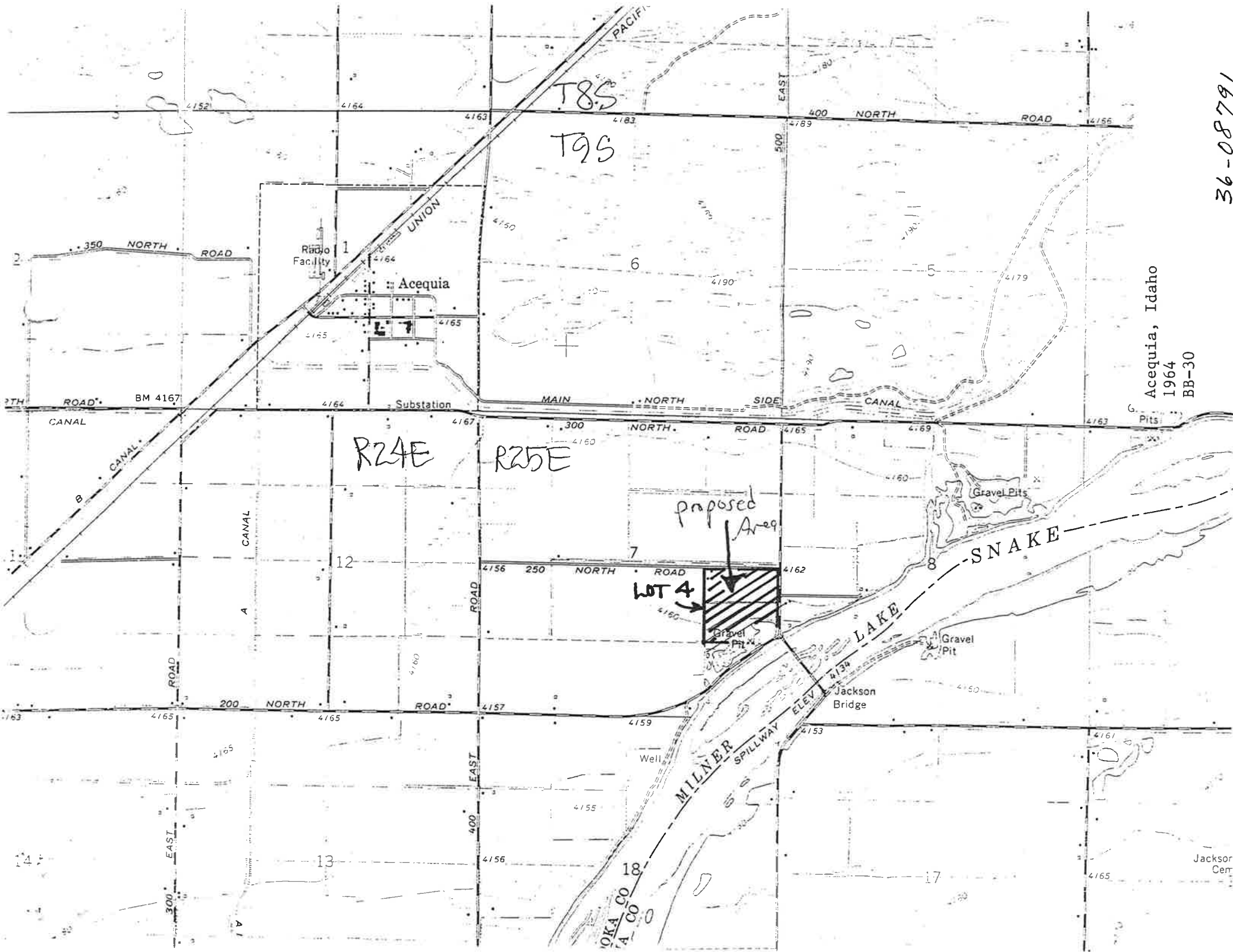
NO. 36-08791

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.  
Witness the signature of the Director, affixed at Boise, this

7<sup>th</sup> day of September, 1999.

  
for Karl J. Dreher, Director



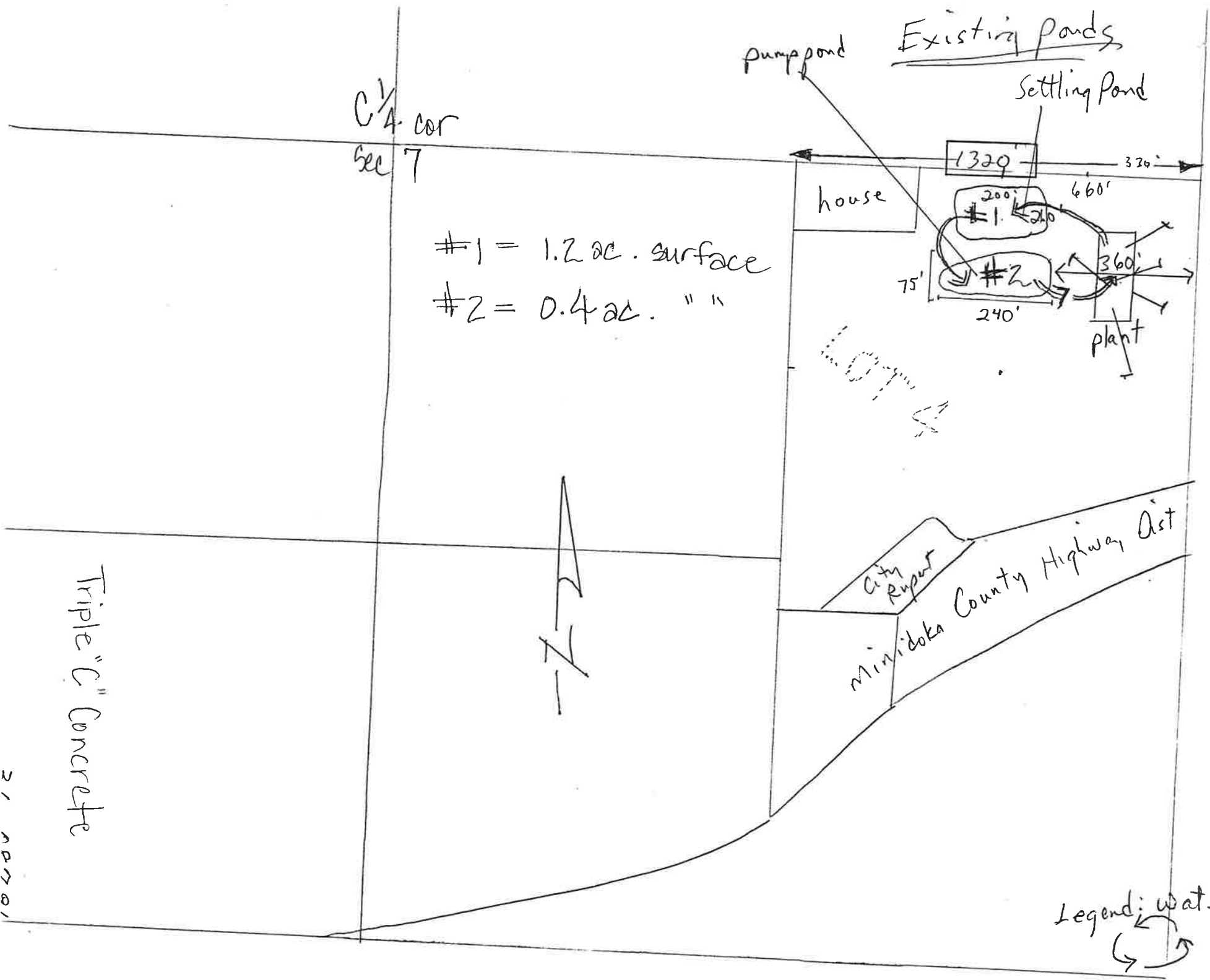


36-08791

Acequia, Idaho  
1964  
BB-30

*G f F c E d*





C 1/4 cor  
Sec 7

#1 = 1.2 ac. surface  
#2 = 0.4 ac. " "

Existing Ponds

pump pond

Settling Pond

house

1320'

324'

200'

#1

660'

75'

#2

240'

360'

plant

City Report

Minidoka County Highway Dist

Legend: water cycl  
↻

21 000001

# MEMO

FROM: Allen Merritt 

DATE: August 23, 1999

TO: Application for Permit No: 36-08791 & 36-08792

In the Name of: Triple C Concrete

SUBJECT: Review and Recommendation

These two applications propose to divert and use groundwater developed when digging gravel pits near the Snake River. The groundwater intercepted will be pumped and used to wash the gravel being mined. Water will be recycled through settling ponds.

At each site there will be the primary pond and a settling pond; each 1 acre in area. It is estimated that evaporation from the ponds will be equivalent to irrigation of the same area of pond surface. As mitigation the applicant proposes to cease use of irrigation of the equivalent number of acres authorized under the MID shares which are appurtenant to the site of the gravel operation.

## Recommendation:

I recommend that these applications be approved subject to the following conditions:

- MID shares on property must be maintained and not leased for use on other land.
- A measuring device must be maintained on the pumps.
- Use is subject to measuring and reporting in the West ESPA Measurement District.
- For each acre of pond created an acre of irrigation must be reduced in the total allowable to be irrigated with MID shares.
- No discharge from ponds back to Snake River is authorized.
- May be subject to other county, state and federal requirements.

36-08791

APPLICANT:

FILE PROGRESS

NT: Spiggle C Concrete

WATER RIGHT NO. 36-08791

[illegible]

APPLICATION NO. 36-08791

STATE OF IDAHO  
IDWR SOUTHERN REGION  
APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY GLS DATE June 1999

REQUIRED INFORMATION (Ck if OK)

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.
- ☒ Address
- ☒ Source (see USGS quad for names of water sources)
- ☒ Point of diversion (10 Acres for spring, lot & block descriptions for subdivisions, local name, flow &/or volume.
- ☒ County
- ☒ Quantity (flow &/or volume)
- ☒ Period of use
- ☒ Nature of proposed use (include description of use)
- ☒ Description of diverting works.
- ☒ Time required for beneficial use of water.
- ☒ Place of use or acres irrigated.
- ☒ Map
- ☒ Signature (If applicant is corp., partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No\* In form to receipt?

++++PROPOSED PRIORITY DATE 17 June 19, 99

ADDITIONAL INFORMATION

- ☒ Overlapping place of use( Describe source & relationship to present application on the back.
- ☒ Overlapping point of diversion.
- ☒ Yes ☒ No Is Source Surface Water?  
If Yes Send Copy to F&G.  
If Yes Field check/memo required.  
Field check/memo by \_\_\_\_\_
- ☒ Yes ☒ No Field report attached?
- ☒ Yes ☒ No Critical Ground water area? Snake River Basin
- ☒ Yes ☒ No Groundwater management area?
- ☒ Yes ☒ No Measurement District or Groundwater District?
- ☒ What District? Magic Valley GW District
- ☒ Yes ☒ No Send Dam safety information?
- ☒ Yes ☒ No Send power requirement letter?
- ☒ Yes ☒ No Send fish farm requirement letter?
- ☒ Yes ☒ No Power residency affidavit attached?
- ☒ Yes ☒ No Power efficiency form?
- ☒ Yes ☒ No Within trustwater boundary?(If yes, attach trustwater supplementary analysis sheet.
- ☒ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft? (If yes, attach large diversion supplementary analysis sheet.
- ☒ Yes ☒ No Is Application made to record Pre Nov 1987 Development?  
If Yes then request clear evidence of when use started.

\* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

Mitigation MID Shares ; Condition Permit  
Reflecting this change / alternative plan "

Date Requested \_\_\_\_\_

Date Sent      Comments Received

SEND COPIES TO:

<input type="checkbox"/> Idaho Dept of Health & Welfare	_____	_____
<input type="checkbox"/> USDI BLM	_____	_____
<input type="checkbox"/> Idaho Dept of Fish & Game	_____	_____
<input type="checkbox"/> USFS	_____	_____
<input type="checkbox"/> Idaho Dept of Lands	_____	_____
<input type="checkbox"/> Water Dist. No. _____	_____	_____
<input type="checkbox"/> Adjudication Bureau Unit	_____	_____
_____	_____	_____
_____	_____	_____

PROCESSING ☒ Yes ☐ No In form for Advertising?  
☐ Yes ☐ No Statewide Advertising?  
☒ Yes ☐ No Fee amount, receipt date & No. recorded?

☒ Yes ☐ No Has all requested additional information been received?  
If not, describe action taken: \_\_\_\_\_

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received?  
☒ Yes ☐ No Application published correctly? If not, record action taken.

☒ Yes ☐ No Publication dates and paper recorded?

Final date for protest: \_\_\_\_\_

☐ Yes ☒ No Protests received?

☐ Yes ☒ No Protested?

Describe Resolution: \_\_\_\_\_

☒ Yes ☐ No Measuring device required?

☐ Yes ☒ No Access port required?

☐ Yes ☒ No Will water be delivered by watermaster? If yes, what dist? \_\_\_\_\_

☐ Yes ☐ No Special conditions codes: \_\_\_\_\_

☒ Yes ☐ No Is Evaluation Memo Attached?

If yes; date of Memo 8/23/99

Date of priority recommended: 6/17/99

COMMENTS:

RECOMMEND ☒ Approval ☐ Denial

By APM Date 8/23/99

**SOUTH IDAHO PRESS  
BURLEY, IDAHO  
AFFIDAVIT OF PUBLICATION**

County of Cassia )  
 ) ss  
STATE OF IDAHO )

Ruth Holmes, being first duly sworn, deposes and says is the Legals clerk of the South Idaho Press, a daily published at Burley, Idaho, in the county aforesaid and paper is of general circulation therein. Deponent further that the printed notice attached hereto was duly printed according to law in the regular editions of the South Press for 2 consecutive week(s), commencing with the issue dated July 19 1999 and ending with the issue July 26 1999.

Ruth Holmes

STATE OF IDAHO )  
COUNTY OF )  
Cassia )

On this 26th day of July in the year of 1999 before me, a Notary Public, personally appeared Ruth Holmes, known and identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Laura K Burns  
Notary Public for Idaho

Residing at: Rupert, Idaho

My commission expires: 6-28-2000

Cost of Publication 68.64

Affidavit Fee 5.00

Total Cost 73.64

OK  
NB  
8/2/99

RECEIVED

JUL 28 1999

Department of Water Resources  
Southern Region

99-269  
NOTICE OF APPLICATIONS FOR  
WATER PERMIT

The following applications have been filed to appropriate the public waters of the State of Idaho:

TRIPAC CONCRETE  
PO BOX 83350  
RUPERT

Source: g  
Date Filed: 1/1-12/3/99

Use: 1/1-12/3/99

\*Application for Permit No. 36-  
S07, T09S, R25E; Minidoka County.

Total Diversion: 2.5 cfs  
In: Lot 47 (NE1/4SE1/4),  
R25E; Minidoka County.

\*Application for Permit No. 36-  
S07, T09S, R25E; Minidoka County.

Total Diversion: 2.5 cfs  
In: NW1/4SE1/4, S07, T09S, R25E;  
Minidoka County.

The application propose to divert groundwater from the "Eastern Snake Plain Aquifer" present under a moratorium order dated April 30th, 1993. The order allows the Director to consider on a case-by-case basis applications if it can be shown that development will have no effect on surface and groundwater rights of its location, insignificant consumption, or mitigation applicant to offset injury rights. The applicant has a mitigation plan as part of its applications. The permits will be subject to all provisions and to the mitigation plan against the proposed application be filed with the Department of Water Resources, Southern Region, Fillmore St., Suite 200, Boise, ID 83701 together with \$25.00 on or before the date of the application.

The protestant Karl J. Drehl Published in the and 26, 1999

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

RECEIVED

JUN 17 1999

Department of Water Resources  
Permit Division

1. Name of Applicant Triple C Concrete, Inc. Phone 208-436-9373  
Mailing address P O Box 95 Rupert, ID 83350
2. Source of water supply groundwater which is a tributary of N/A
3. Location of point of diversion is Township 9S Range 25 E Sec. 7, in the 1/4,  
NE 1/4, SE 1/4, Govt. Lot 4, B.M., Minidoka County;  
additional points of diversion if any: \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount 2.5 CFS for Industrial purposes from 1/1 year-round to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 2.5 CFS and/or (b) \_\_\_\_\_  
cubic feet per second acre feet per annum
6. Proposed diverting works:
  - a. Describe type and size of devices used to divert water from the source Electric Pump
  - b. Height of storage dam NA feet; active reservoir capacity \_\_\_\_\_ acre-feet; total  
reservoir capacity \_\_\_\_\_ acre-feet
  - c. Proposed well diameter is NA inches; proposed depth of well is \_\_\_\_\_ feet
  - d. Is ground water with a temperature of greater than 85°F being sought? NO
  - e. If well is already drilled, when? NA; Drilling firm \_\_\_\_\_  
Well was drilled for (well owner) NA; Drilling Permit No. \_\_\_\_\_
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
  - a. Hydropower; show total feet of head and proposed capacity in KW. \_\_\_\_\_
  - b. Stockwatering; list number and kind of livestock. \_\_\_\_\_
  - c. Municipal; show name of municipality. \_\_\_\_\_
  - d. Domestic; show number of households. \_\_\_\_\_
  - e. Other; describe fully. Pump ground water from manmade pond to wash plant for Sand and Gravel  
non-consumptive use. Water is recycled through a settling pond. Ponds are dug and relocate  
as Machinery is moved periodically to location close to gravel deposit.

8. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9S	25E	7													I				
															lot 4				

Total number of acres to be irrigated NA

10. Describe any other water rights used for the same purposes as described above. Property also has Minidoka Irrigation District Water Right used for farming of unmined area.

11. a. Who owns the property at the point of diversion? Lorraine Coats and Estate of Clyde N Coats

b. Who owns the land to be irrigated or place of use? Lorraine Coats and Estate of Clyde N Coats

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: \_\_\_\_\_

12. Remarks: Non-Consumptive use of ground water to be used instead of Minidoka Irrigation District Irrigation water connected to this property. It is estimated that evaporation from Approx. 1 acre pond and a 1 acre settling pond is equal to 2 acres of farm use consumption as mitigation, 2 acres of the MID Water Right will not be used.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

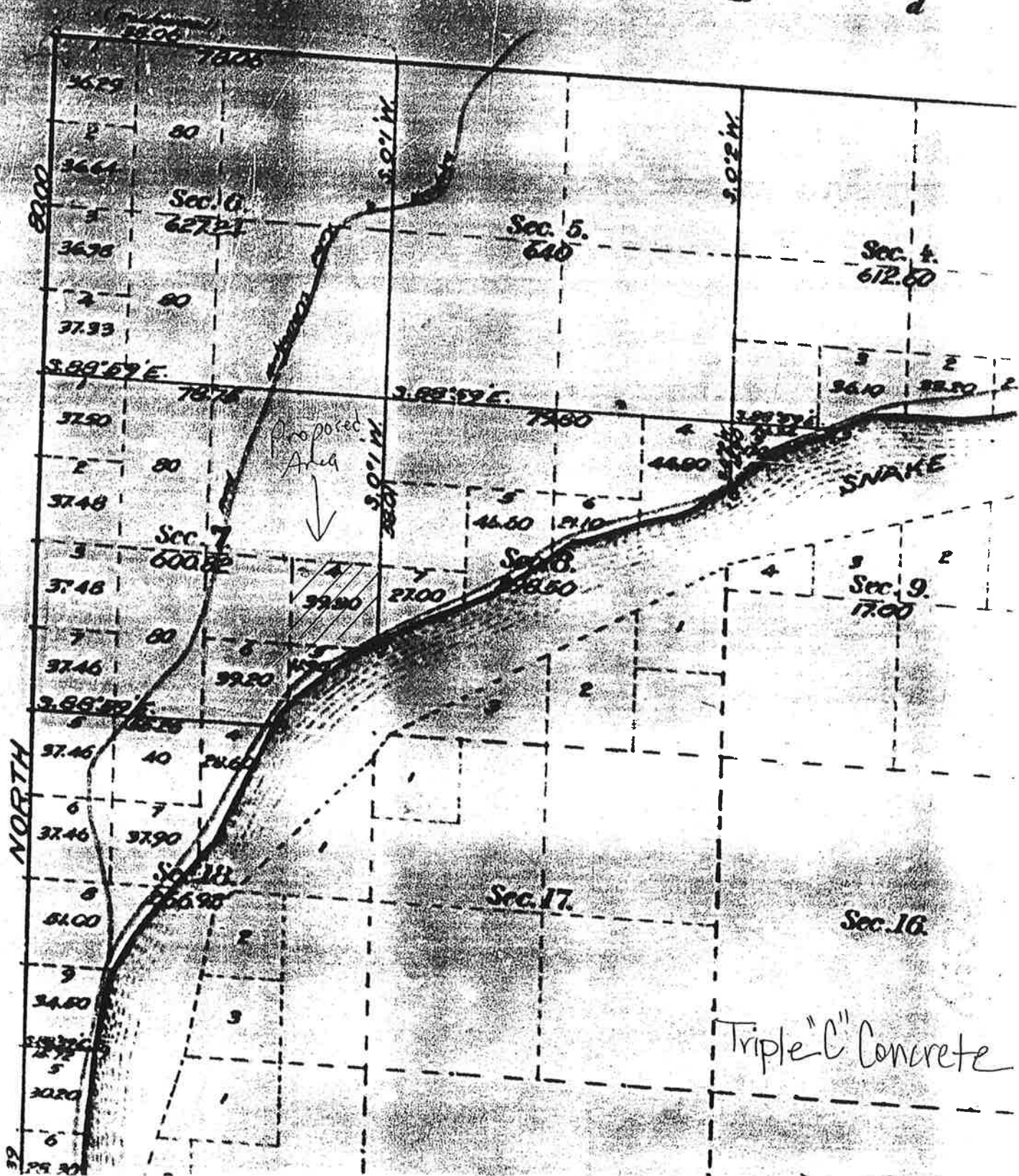
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Laird Coats President  
Signature of Applicant (and title, if applicable)

Received by GLS Date 7/16/99 Time \_\_\_\_\_ Preliminary check by GLS  
Fee \$ 140.00 Received by GLS # 5022292 Date 22 June 99  
Publication prepared by MB Date 7/16/99 Published in So. Ill. Press.  
Publication approved \_\_\_\_\_ Date \_\_\_\_\_



# Township No 9 South, Range No 25



C 1/4 cor  
Sec 7

#1 = 1.2 ac. surface

#2 = 0.4 ac. " "

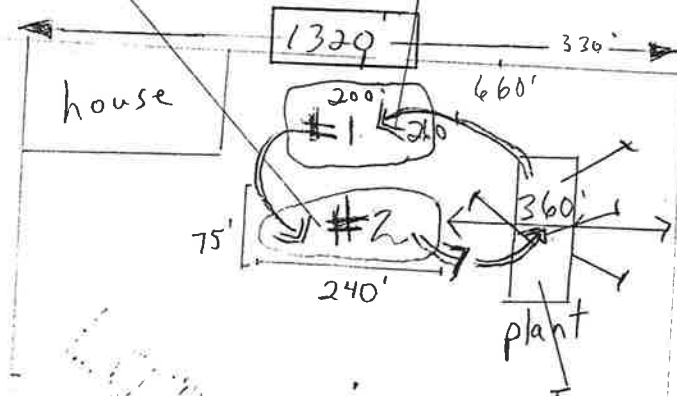


Triple "C" concrete

pump pond

Existing ponds

Settling Pond



City Report  
Minidoka County Highway Dist

Legend: water cycle

M E M O T O F I L E

FROM: Georgia Satterlee  
DATE: 23 June 1999  
RE: (2) Applications for Permit

Corey and I met and discussed the applications with David Coates, President of Triple "C" Concrete. The permit applications are for an (1) existing gravel excavating plant and a (2) proposed gravel plant.

Both applications call to a groundwater source to wash the gravel. The groundwater is from the excavated ponds that vary in depth. The water recycles through the ponds in order to wash gravel. The amount of water applied for was calculated from the capacity of the electric pump which is rated at 1200 gpm.

The property is located within the Snake River Basin. The land not being mined is irrigated with Minidoka Irrigation District water. We discussed the SRB Moratorium and possibility of consumptive use. Mr. Coates says since the groundwater is recycled, the use of the water is non-consumptive and most of the loss is in evaporation.

However, if there is question of consumptive use, he would like to propose the mitigation of the equivalent amount of MID shares/acreage relative to the surface area of the ponds. The surface area size of the ponds, existing and proposed, is approximately 2.0 acres.



*Triple "E" Concrete Inc.*

P.O. Box 95  
224 Read Avenue  
Rupert, Idaho 83350  
208-436-9373  
Fax - 208-436-9382

June 16, 1999

Georgia Satterlee  
Southern Idaho Regional Office  
Idaho Dept. of Water Resources  
1341 Filmore St.  
Twin Falls, Idaho 83301-3380

RECEIVED

JUN 17 1999

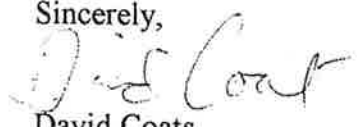
Department of Water Resources  
Twin Falls, Idaho

Re: Water Permit Application

Dear Georgia,

I appreciate your time and help in completing these applications. I have incorporated your suggestions into these applications and submit it for your approval. Please call if there are further questions.

Sincerely,

  
David Coats  
President

## COMMUNICATION DOCUMENTATION

IDWR Employee/Agent Georgia Satterlee

DATE

June 7, 1999 2:43pm

CUSTOMER

David Coates

**SUBJECT:** Triple C Concrete, Inc.  
phone call (.) walk-in (x)

Today, Corey and I discussed the application for permit with David Coates. Application submitted on 19 May 1999, I wrote a letter on 21 May 1999, returning the application and check.

After much discussion, it looks as if two application for permits would suffice the situation. The first application would call to the current operation in Lot 4 NESE $\frac{1}{4}$  of Section 7; The second application would appease the projected plans, i.e. the new pond(s) in the NWSE $\frac{1}{4}$  of Section 7.

The MID shares could be mitigated (the ponds could be considered consumptive, the size is 200'x240' = 1.1 acre).

# RESOLUTION OF BOARD OF DIRECTORS OF

## TRIPLE C CONCRETE, INC.

RESOLVED, That David C Coats, be given authority to apply for any permit and water right as deemed necessary by him, for the purpose of gravel mining in the pit owned by Triple C Concrete, Inc. which is located described as Township 9S Range 25 E Sec 7 in Minidoka County, submitted to this meeting, be and it hereby is accepted that water rights and/or permits be obtained and signed for by David C Coats in the name and in behalf of this Corporation.

I, M. Gene Hansen, do hereby certify that I am the duly elected and qualified Secretary and the keeper of the records and corporated seal of Triple C Concrete, Inc., a corporation organized and existing under the laws of the State of Idaho, an that the above is a true and a correct copy of a resolution duly adopted at a meeting of the Board of Directors thereof, convened and held in accordance with law and the Bylaws of said Corporation on June 1, 1999, and that such resolution is now in full force and effect.

IN WITNESS WHEREOF, I have affixed by name as Secretary and have caused the Corporate seal of said Corporation to be hereunto affixed this 16<sup>th</sup> Day of June 1999.

M. Gene Hansen  
Secretary



I Lorraine Coats

give permission to David C Coats, President  
of Triple C Concrete, Inc. to apply for any permits and water rights as needed for the gravel  
mining as per agreement.

David Coats personal Representative  
Estate of Clyde N Coats 6-16-99

Lorraine Coats - Lorraine Coats

Lorraine Coats

Date

Hanna Olson

Witness

6-16-99

Date



# State of Idaho

## DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

### SOUTHERN REGION

May 21, 1999

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

Triple C Concrete, Inc.  
PO Box 95  
Rupert, ID. 83350

RE: Application for Permit

Dear Applicant,

On 19 May 1999, we received the application for permit for gravel washing. Because there are a few items on the application that need to be clarified, I am returning the application for permit and the check #1254 in the amount of \$100.00.

The first item is the identification of three different locations for a well. Will there be more than one well, and where, specifically, will the well(s) be? The location for the point of diversion needs to have the section, township, range, with the quarter-quarter designation plus the lot number. Included is the lot plat map.

Secondly, the use is defined as "Gravel Washing". The use will be changed to either Industrial or Commercial Use associated with a Sand and Gravel Plant. Description of the plant operation will be useful.

Thirdly, the use from a well into a "manmade pond" and "recycled through a settling pond". Are these ponds already developed? What is the size of each pond, i.e. length, width, depth? Will the ponds be lined with any material?

The fourth item of concern is the statement, "ponds are dug and relocated as machinery is moved periodically to location close to gravel deposit." Where is the re-location in relationship to the initial place of use? Please provide a description of how often the ponds will be moved, and what happens to the original pond(s)? All the information to clarify the operation will be appreciated.

The fifth and final item is the historical use of the Minidoka Irrigation District shares. Please provide MID records of the beneficial irrigation use plus the mitigation plan appurtenant to the shares.

Cordially,

  
Georgia Satterlee  
Sr. Water Resource Agent

*Consumptive*

NOTICE OF APPLICATIONS FOR WATER PERMIT

The following applications have been filed to appropriate the public waters of the State of Idaho:

TRIPLE C CONCRETE INC  
PO BOX 95  
RUPERT ID 83350

Source: groundwater  
Date Filed: 06/17/99  
Use: 1/1-12/31 Industrial (2.5 cfs)

**\*Application for Permit No. 36-08791**

Diversion Pt(s): Lot 4 (NE1/4SE1/4), S07, T09S, R25E; Minidoka County.

Total Diversion: 2.5 cfs

In: Lot 4 (NE1/4SE1/4), S07, T09S, R25E; Minidoka County.

**\*Application for Permit No. 36-08792**

Diversion Pt(s): NW1/4SE1/4, S07, T09S, R25E; Minkdoka County.

Total Diversion: 2.5 cfs

In: NW1/4SE1/4, S07, T09S, R25E; Minidoka County.

The applications propose to divert groundwater from the "Eastern Snake Plain Aquifer" presently under a moratorium order dated April 30th, 1993. The order allows the Director to consider on a case-by-case basis applications if it can be shown the development will have no effect on prior surface and groundwater rights because of its location, insignificant consumption, or mitigation by the applicant to offset injury to other rights. The applicant has submitted a mitigation plan as part of the applications. The permits, if approved, will be subject to all prior water rights and to the mitigation plan. Any protest against the proposed applications must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before August 6, 1999 to be considered by the Department in its decision to grant or deny any part of the proposed applications. **(Each application requires a separate protest)**. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on 07/19 & 07/26/99.



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

July 16, 1999

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

ATTN DAVE COATS PRESIDENT  
TRIPLE C CONCRETE INC  
PO BOX 95  
RUPERT ID 83350

Re: Application for Permit Nos. 36-08791 36-08792

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right applications for permit. The applications have been assigned the above referenced identification numbers. Please refer to these numbers in all further correspondence.

This office has scheduled advertising the applications in the South Idaho Press for 07/19 & 07/26/99. A period of ten days following the second publication will be allowed for the submittal of protests.

If an application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If an application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. If a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Georgia Satterlee  
Water Resource Agent

GS:mb

M E M O T O F I L E

FROM: Georgia Satterlee  
DATE: 23 June 1999  
RE: (2) Applications for Permit

Corey and I met and discussed the applications with David Coates, President of Triple "C" Concrete. The permit applications are for an (1) existing gravel excavating plant and a (2) proposed gravel plant.

Both applications call to a groundwater source to wash the gravel. The groundwater is from the excavated ponds that vary in depth. The water recycles through the ponds in order to wash gravel. The amount of water applied for was calculated from the capacity of the electric pump which is rated at 1200 gpm.

The property is located within the Snake River Basin. The land not being mined is irrigated with Minidoka Irrigation District water. We discussed the SRB Moratorium and possibility of consumptive use. Mr. Coates says since the groundwater is recycled, the use of the water is non-consumptive and most of the loss is in evaporation.

However, if there is question of consumptive use, he would like to propose the mitigation of the equivalent amount of MID shares/acreage relative to the surface area of the ponds. The surface area size of the ponds, existing and proposed, is approximately 2.0 acres.



*Triple "E" Concrete Inc.*

P.O. Box 95  
224 Read Avenue  
Rupert, Idaho 83350  
208-436-9373  
Fax - 208-436-9382

June 16, 1999

Georgia Satterlee  
Southern Idaho Regional Office  
Idaho Dept. of Water Resources  
1341 Filmore St.  
Twin Falls, Idaho 83301-3380

RECEIVED

JUN 17 1999

Department of Water Resources  
Twin Falls, Idaho

Re: Water Permit Application

Dear Georgia,

I appreciate your time and help in completing these applications. I have incorporated your suggestions into these applications and submit it for your approval. Please call if there are further questions.

Sincerely,

David Coats  
President

## COMMUNICATION DOCUMENTATION

IDWR Employee/Agent Georgia Satterlee

DATE

June 7, 1999 2:43pm

CUSTOMER

David Coates

**SUBJECT:** Triple C Concrete, Inc.  
phone call (.) walk-in (x)

Today, Corey and I discussed the application for permit with David Coates. Application submitted on 19 May 1999, I wrote a letter on 21 May 1999, returning the application and check.

After much discussion, it looks as if two application for permits would suffice the situation. The first application would call to the current operation in Lot 4 NESE $\frac{1}{4}$  of Section 7; The second application would appease the projected plans, i.e. the new pond(s) in the NWSE $\frac{1}{4}$  of Section 7.

The MID shares could be mitigated (the ponds could be considered consumptive, the size is 200'x240' = 1.1 acre).

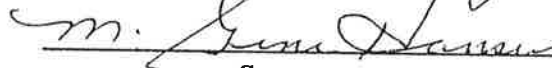
# RESOLUTION OF BOARD OF DIRECTORS OF

## TRIPLE C CONCRETE, INC.

RESOLVED, That David C Coats, be given authority to apply for any permit and water right as deemed necessary by him, for the purpose of gravel mining in the pit owned by Triple C Concrete, Inc. which is located described as Township 9S Range 25 E Sec 7 in Minidoka County, submitted to this meeting, be and it hereby is accepted that water rights and/or permits be obtained and signed for by David C Coats in the name and in behalf of this Corporation.

I, M. Gene Hansen, do hereby certify that I am the duly elected and qualified Secretary and the keeper of the records and corporated seal of Triple C Concrete, Inc., a corporation organized and existing under the laws of the State of Idaho, and that the above is a true and a correct copy of a resolution duly adopted at a meeting of the Board of Directors thereof, convened and held in accordance with law and the Bylaws of said Corporation on June 1, 1999, and that such resolution is now in full force and effect.

IN WITNESS WHEREOF, I have affixed by name as Secretary and have caused the Corporate seal of said Corporation to be hereunto affixed this 16<sup>th</sup> Day of June 1999.

  
Secretary



I Lorraine Coats

give permission to David C Coats, President  
of Triple C Concrete, Inc. to apply for any permits and water rights as needed for the gravel  
mining as per agreement.

David Coats personal representative  
Estate of Clyde W Coats 6-16-99

Lorraine Coats - Lorraine Coats

Lorraine Coats

Date

Hanna Olson

Witness

6-16-99

Date



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

May 21, 1999

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

Triple C Concrete, Inc.  
PO Box 95  
Rupert, ID. 83350

RE: Application for Permit

Dear Applicant,

On 19 May 1999, we received the application for permit for gravel washing. Because there are a few items on the application that need to be clarified, I am returning the application for permit and the check #1254 in the amount of \$100.00.

The first item is the identification of three different locations for a well. Will there be more than one well, and where, specifically, will the well(s) be? The location for the point of diversion needs to have the section, township, range, with the quarter-quarter designation plus the lot number. Included is the lot plat map.


Secondly, the use is defined as "Gravel Washing". The use will be changed to either Industrial or Commercial Use associated with a Sand and Gravel Plant. Description of the plant operation will be useful.

Thirdly, the use from a well into a "manmade pond" and "recycled through a settling pond". Are these ponds already developed? What is the size of each pond, i.e. length, width, depth? Will the ponds be lined with any material?

The fourth item of concern is the statement, "ponds are dug and relocated as machinery is moved periodically to location close to gravel deposit." Where is the re-location in relationship to the initial place of use? Please provide a description of how often the ponds will be moved, and what happens to the original pond(s)? All the information to clarify the operation will be appreciated.

The fifth and final item is the historical use of the Minidoka Irrigation District shares. Please provide MID records of the beneficial irrigation use plus the mitigation plan appurtenant to the shares.

Cordially,

  
Georgia Satterlee  
Sr. Water Resource Agent

Consumptive