

RECEIVEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No.

65-23925**APR 27 2020****APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

WATER RESOURCES
WESTERN REGION

1. Name of applicant(s) Knife River Corporation- Mountain West Phone 208.362.6152
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 5450 West Gowen Rd City Boise
 State ID _____ ZIP 83709 Email zac.okelley@kniferiver.com
2. Name of representative, if any Sean Marsh Phone 208.484.7123
 Mailing address 5450 West Gowen Rd City Boise
 State ID _____ ZIP 83709 Email sean.marsh@kniferiver.com
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☒ Send original correspondence to the applicant and copies to the representative.
- b. ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply GROUND WATER which is a tributary of _____
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
16N	03E	26		SE	SE		VALLEY	GROUND WATER	346330

5. Water will be used for the following purposes:
- Amount 0.25 CFS for Concrete Production purposes from Jan 1 to Dec 31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 0.25 cubic feet per second (cfs) and/or (b) 6.9 acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. _____
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate [Application for Construction or Enlargement of a New or Existing Dam](#). Application required? ☐ Yes ☐ No
- c. Proposed well diameter is 6 inches; proposed depth of well is 69 feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? 8-5-1980; drilling firm Jones Well Drilling;
 well was drilled for (well owner) Gold Fork Ready Mix; Drilling Permit No. _____

For Department Use

Received by KT Date 04/27/2020 Time 2:40pm Preliminary check by JS
 Fee \$ 250.00 Receipted by KT Receipt No. W048231 Date 04/27/2020

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; must complete and attach the [Municipal Water Right Application Checklist](#).
- d. Domestic; show number of households _____
- e. Other; describe fully. Concrete Production

9. 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	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	3E	26																C	

Total number of acres to be irrigated: 0

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? existing right 65-17580 is used for domestic purposes on the property.

11. a. Who owns the property at the point of diversion? Applicant

b. Who owns the land to be irrigated or place of use? Applicant

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

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. This well was drilled as a test well in 1980 by Robert Gestrin of Jones Well Drilling. Knife River acquired the property and intends to use the well for the commercial purpose of manufacturing ready-mix concrete. Please see attached.

13. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).

14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

[Signature]
Signature of Applicant

Enchan O'Kelley, President
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)



5450 W. Gowen Road
Boise, ID 83709
(208) 362-6152
(208) 362-6199 FAX

Mountain-West

April 22, 2020

Item #12: Narrative to support Application for Permit

In December of 2019, Knife River acquired the Yates Property, former home of Gold Fork Concrete. Our intent is to use the area for a new concrete plant. A concrete plant requires water to produce concrete and maintain stockpiles.

Producing 1 Cubic Yard "CY" of concrete requires 45 gallons of water. We intend to produce 100 CY/HR and therefore use 4,500 gallons per hour or 75 GPM.

Aggregate piles must be wetted to mitigate dust. 2 stations with 1.5" hoses @ 40 psi will be dedicated to dust mitigation for a demand of 48 GPM when running.

Combined total potential demand for the proposed concrete plant is 123 GPM or 0.274 CFS. However, well number 346330 only flows 75 GPM. We will temporarily store water within the plant to produce 100 CY/HR. Further, local demand can not support 100 CY per hour every hour of the day, every day of the season. Dust mitigation is only required during the dry season. Therefore, it is reasonable to prorate the flow rate to 0.25 CFS.

The local market for concrete could reach 50,000 CY per year within 5 years. Therefore, we request 6.9 Acre Feet per year.

Respectfully,

Sean Marsh
Sean.marsh@kniferiver.com
208.484.7123- Mobile



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

**RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:**

David T. Krueck
Elam & Burke, P.A.
251 E. Front Street, Suite 300
Boise, ID 83702

DS
EOP

(Space Above For Recorder's Use)

WARRANTY DEED

For good and valuable consideration, the receipt of which is hereby acknowledged, Karen Yates, an unmarried woman ("Grantor"), conveys and warrants to Knife River Corporation – Mountain West, a Delaware corporation, ("Grantee"), whose address is 5450 W. Gowen Road, Boise, Idaho 83709, and its successors and assigns forever the real property described on Exhibit "A" attached hereto and incorporated herein by this reference.

SUBJECT TO taxes and assessments for the year 2019 and all subsequent years, together with all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

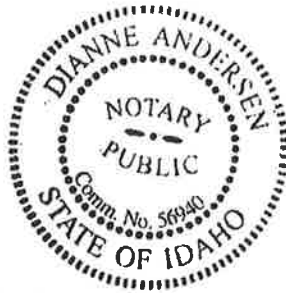
This conveyance shall include all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, easements, rents, issues, profits, rights-of-way and water rights appertaining to the property herein described as well in law as in equity.

The Grantor covenants to the Grantee that Grantor is the owner in fee simple of said premises; that the premises are free from encumbrances created or suffered by the Grantor, excepting those as may be herein set forth, and excepting those of record, and that Grantor will warrant and defend the same from all lawful claims.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this
10th day of December, 2019.

Karen M. Yates
Karen Yates

STATE OF IDAHO)
) ss.
County of Valley)



On this 10th day of December, 2019, before me, a Notary Public in and for the State of Idaho, personally appeared KAREN YATES, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Dianne Andersen
Notary Public for Idaho
Residing at: Valley County
My commission expires: 10-21-22

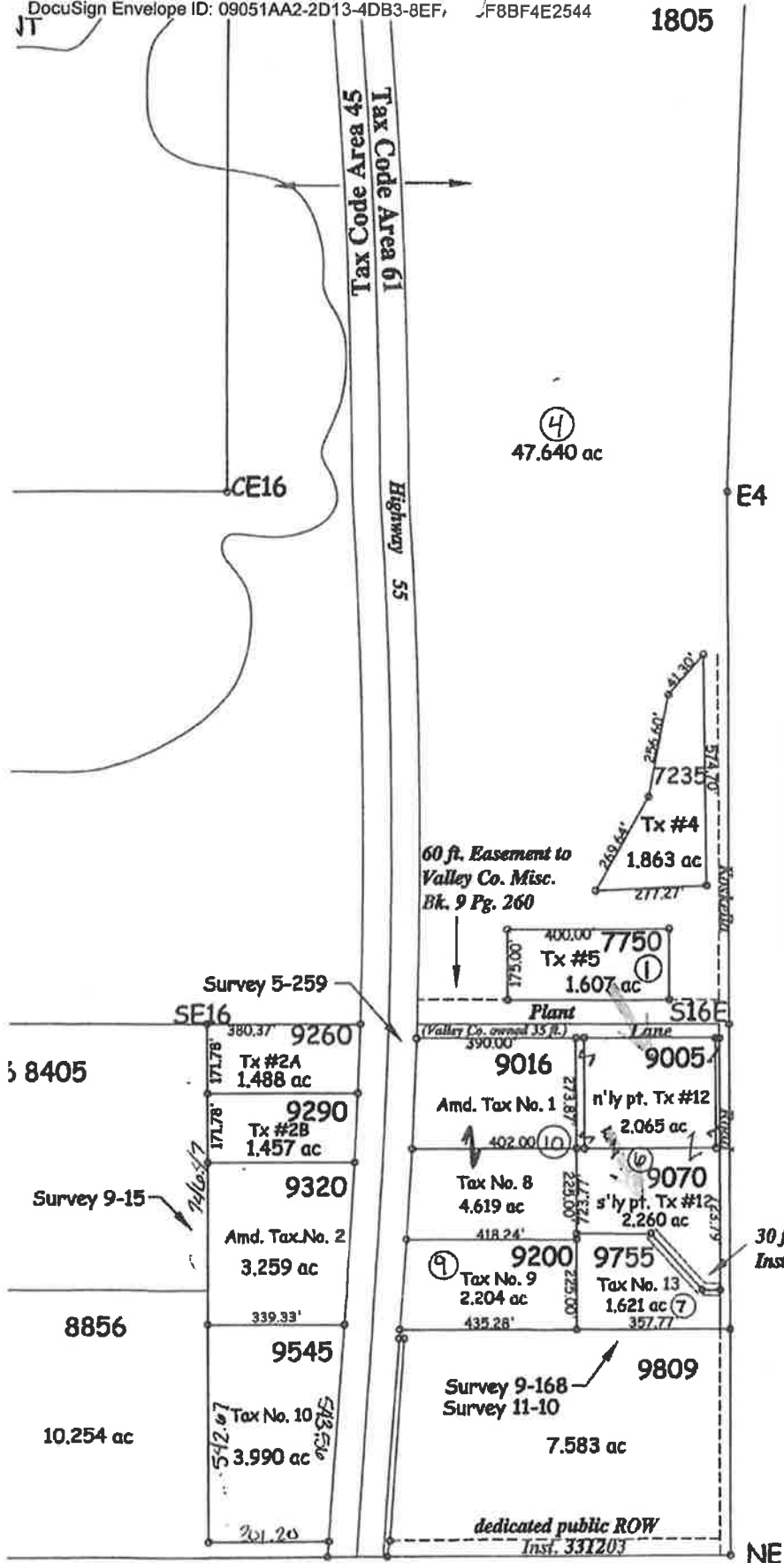
EXHIBIT "A"

A parcel of land situate in the SE 1/4 of the SE 1/4 of Section 26, Township 16 North, Range 3 East, Boise Meridian, Valley County, Idaho, more particularly described as follows:

Commencing at a 5/8" rebar, marking the South 1/16 Corner common to Sections 25 and 26, T. 16 N., R. 3 E., B.M., Valley County, Idaho, as shown on that particular Record of Survey recorded as Instrument No. 320567, in Book 9 on page 168 of Surveys, in the office of the Recorder of Valley County, Idaho; thence, N. 89° 49' 14" W., 382.93 feet along the northerly boundary of the SE 1/4 of the SE 1/4 of said Section 26; thence, S. 00° 03' 29" E., 35.00 feet to a 5/8" rebar on the southerly right-of-way of Plant Lane the REAL POINT OF BEGINNING:

Thence, S. 89° 49' 14" E., 347.92 feet along said southerly right-of-way to a 5/8" rebar, Thence, continuing S. 89° 49' 14" E., 10.00 feet along said southerly right-of-way, to the westerly right-of-way of Koskella Road, Thence, S. 00° 02' 46" E., 623.77 feet along said westerly right-of-way, Thence, N. 89° 49' 24" W., 10.00 feet to a 5/8" rebar, Thence, continuing N. 89° 49' 24" W., 35.00 feet to a 5/8" rebar, Thence, N. 42° 20' 27" W., 189.94 feet to a 5/8" rebar, Thence, N. 89° 49' 24" W., 185.00 feet to a 5/8" rebar on the easterly boundary of that particular parcel described in Quitclaim Deed, Instrument No. 208572, recorded in the Office of the Recorder of Valley County, Idaho, Thence, N. 00° 03' 29" W., 483.79 to the Point of Beginning.

Bearings based on Record of Survey, Instrument No. 320567, in Book 9 on Page 168 of Surveys.

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VALLEY COUNTY
Assessor's Office
Cartography Dept.
Cascade, ID 83611

Filename:
 H:\sprobst\Valley County Base Map\

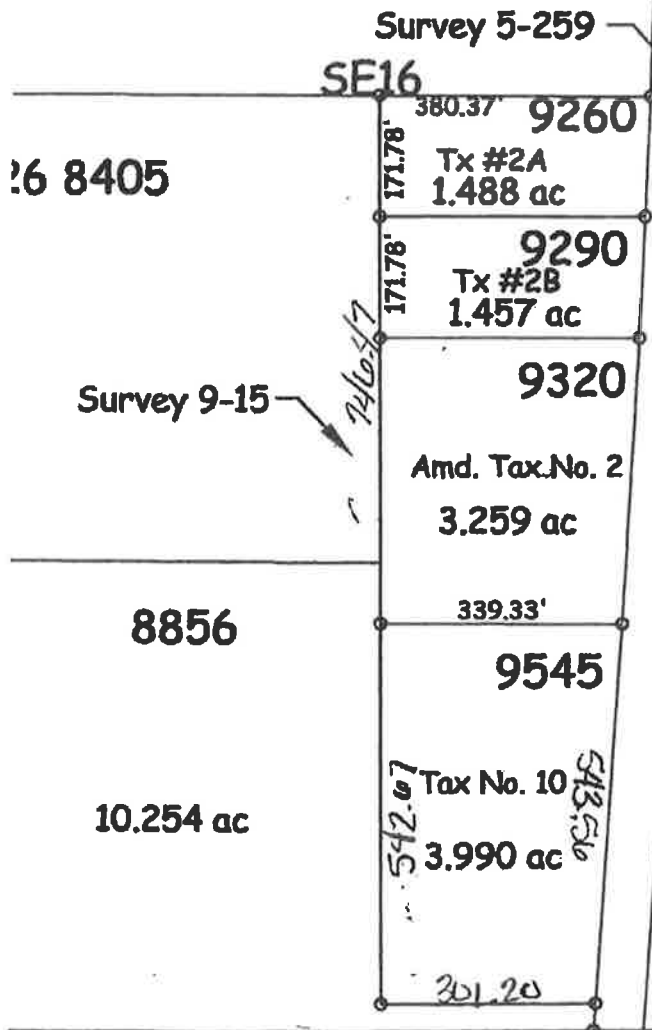
Scale: 1" = 400 ft.

Date: 8-24-09

Drawn by: S Probst



NOTE: Any map or sketch enclosed as an attachment herewith is furnished for informational purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.



DS
EOP

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

USE ADDITIONAL SHEETS IF NECESSARY – FORWARD THE WHITE COPY TO THE DEPARTMENT



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

May 14, 2020

KNIFE RIVER CORPORATION MOUNTAIN WEST
5450 W GOWEN RD
BOISE, ID 83709-5625

RE: Application for Permit No. 65-23925

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the STAR NEWS on 5/21/2020 and 5/28/2020. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kensie Thorneycroft'.

Kensie Thorneycroft
Administrative Assistant

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Thursday, May 14, 2020 1:40 PM
To: 'starclass@frontier.com'
Subject: Valley Legal Notice
Attachments: CoverLetter.docx; LegalNotice.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning Legal Clerk,

I am sending you the new legal notices, please send confirmation to my email.

Please see the attached ad for publication on 05/21/2020 and 05/28/2020.

Please confirm these are okay to publish as shown.

Kensie Thorneycroft
Administrative Assistant
IDWR Wester Region
208-334-2190



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

May 14, 2020

LEGAL NOTICE DEPARTMENT
STAR NEWS
1000 1ST ST
MC CALL, ID 83638

RE: Application for Permit No. 65-23925

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 6/8/2020. Your cooperation is appreciated.

Sincerely,

Kensie Thorneycroft
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

65-23925

KNIFE RIVER CORPORATION MOUNTAIN WEST

5450 W GOWEN RD

BOISE, ID 83709-5625

Point of Diversion SESE S26 T16N R03E VALLEY County Source GROUND WATER

Use: COMMERCIAL 01/01 to 12/31 0.25 CFS

Total Diversion: 0.25 CFS

Date Filed: 04-27-2020

Place Of Use: COMMERCIAL

T16N R03E S26 SESE

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western office at (208)334-2190; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 6/8/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/21/2020 and 5/28/2020

Shearer, Justin

From: Marsh, Sean <Sean.Marsh@kniferiver.com>
Sent: Wednesday, May 13, 2020 11:43 AM
To: Shearer, Justin
Cc: Tietz, Justin
Subject: Diverting Apparatus for Yates Well

Follow Up Flag: Follow up
Flag Status: Completed

Justin,

We will use a 2 HP variable speed submersible pump to a 10,000 gallon tank.

Justin Tietz is cc'd and knows more details about the plant and concrete production in general.

Please let me know if you need anything else. Thanks for working with us.

Sean Marsh
Contract and Risk Manager
Knife River Corporation- Mountain West
208.562.5022-Direct
208.484.7123-Mobile
Sean.marsh@kniferiver.com

