

RECEIVED

MAR 02 2018

STATE OF IDAHO

Ident. No.

25-14462

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) HK Contractors, Inc. Phone 208-523-6600
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address 6350 S Yellowstone City Idaho Falls
 State ID ZIP 83402 Email rodgermcalevy@hkcontractors.com
2. Name of representative, if any Rocky Mountain Env. Assoc., Inc. Phone 208-524-2353
 Mailing address 482 Constitution Way Ste 303 City Idaho Falls
 State ID ZIP 83402 Email rog.rmea@gmail.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 Groundwater 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 #
3N	38E	33			SE	SW	Bonneville	Groundwater	

5. Water will be used for the following purposes:
- Amount 1.12 CFS for Industrial purposes from 3/1 to 11/30 (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) 1.12 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. A well with pump controlled by a float will deliver water to a 1/4 acre pond in clayey soil within the POU. Wash plant will recirculate water from the pond.
- b. Height of storage dam (excavated) feet; active reservoir capacity 6.25 acre-feet; total reservoir capacity 6.8 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 16 inches; proposed depth of well is 225 feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? Not drilled; drilling firm _____;
 well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use

Received by SC Date 3/5/18 Time _____ Preliminary check by _____
 Fee \$ 240 Received by SC Receipt No. ED43771 Date 3/5/18

25-14462

8. Description of proposed uses (if irrigation only, go to item 9):

a. Hydropower; show total feet of head and proposed capacity in kW. N/A

b. Stockwatering; list number and kind of livestock. N/A

c. Municipal; must complete and attach the Municipal Water Right Application Checklist.

d. Domestic; show number of households N/A

e. Other; describe fully. Gravel washing facility

AMENDED

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	
3N	38E	33												I		I			

Total number of acres to be irrigated: N/A

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? Evaporation for the pond will be supported by a Part B exempt domestic use (less than 2,500 gallons per day). First fill will be supported by a one-time rental pool lease. This application is for non-consumptive replacement water for gravel washing process. See attached.

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. Please see attached narrative

13. Time required for completion of works and application of water to proposed beneficial use is 5 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 of Applicant

Signature of Applicant

Print Name (and title, if applicable)

Print Name (and title, if applicable)

AMENDED

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Signature of Applicant

Edith Trullinger Canal manager HK.
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

Narrative to Accompany Application for Permit HK Contractors, Inc.

A new groundwater diversion for a gravel wash facility is proposed under this application. The wash facility will draw from and recirculate to an on-site excavated pond, initially filled with a Water District 01 Rental Pool lease. The groundwater diversion will deliver replacement water to the pond.

There will be three water uses associated with this process:

- 1) First time fill will be provided by rental of 6.25 acre feet of water from the Water District 01 rental pool, delivered by the Progressive Irrigation District to a point adjacent to the Applicant's property on the east, and piped to the pond. The District has already agreed to this arrangement.
- 2) Percolation from the pond, and from the stockpile of washed material, will be a non-consumptive use under the right applied for in this application. This water will be diverted from a well to be constructed under this permit application.
- 3) Consumptive use for evaporation from the pond will be supported by a Part B *de minimis* exempt domestic groundwater use, also diverted from the well to be constructed under this permit;

No other uses are to be made of this pond and well under the water right applied for.

Additional information includes:

Water will be for recirculating use in gravel-wash plant(s) owned by subcontractor(s). A one-quarter acre pond is excavated on site (within the described POU) to an average depth of 27 feet, and filled to an average depth of 25 feet. The wash plant will recirculate water from the pond, and a float will control pumping from the proposed well for replacement water. The specified flow-through rates of the plant will vary, but it is the Applicant's experience that with recirculation, a 500-gallon per minute diversion rate is adequate for replacement water for wash-plant operation.

The contractors will be required to retrofit the wash plant(s) with shade covers and wind curtains to eliminate evaporative losses within the plant. Washed gravel product will be stored on site on a gravel substrate. The small quantity of water adhering to washed product will drain from the stockpile and percolate to groundwater, and is non-consumptive. The bulk of the water from the wash plant will be returned to the pond in recirculation.

The pond is excavated in the clayey overburden soil that overlies the gravel, and not in the gravel that is the product of the mining operation. It is within the POU, to the south of the POD. The Applicant's experience has shown that this soil is of low permeability, and expected percolation is low. Percolation that does occur will return to the groundwater source and is non-consumptive.

The consumptive use supported by a Part B domestic exemption is calculated using University of Idaho *ET_{Idaho} 2012, Idaho Falls FAA Airport station (NWS-104457)*, (copy attached). The maximum three-day moving average precipitation deficit for shallow ponds is 3.82 mm/day. This is equivalent to a daily net evaporation depth of 0.0125 feet, which on a one-fourth acre pond is 0.0031 acre feet or 1,010 gallons. This is within the Part B domestic exemption of 2,500 gallons per day for miscellaneous water uses.

The proposed 500 gallon per minute diversion rate is approximately 17 to 25 percent of the 2,000 to 3,000 gallons per minute instantaneous flow rates typical of gravel wash plants. In the experience of the Applicant, this diversion rate, combined with the buffer provided by storage in the pond, is adequate for typical gravel-wash operations.

*Place of use will eventually include both described QQ
Sections as the operation matures. JT*



0.1 0.05 0 0.1 Miles

Figure 1: Proposed Place of Use & Point of Diversion

☒ POD Proposed
☐ POU Proposed
☐ Township
☐ Section
☐ QQ

Rocky Mountain
ENVIRONMENTAL
 ASSOCIATES, INC.
 482 Constitution Way, Suite 303
 Idaho Falls, ID 83402 208-524-2353

HK Contractors, Inc.
 Water-right Permit Application

Project 18-0030



0.25 0.125 0 0.25 Miles

- POD Proposed
- POU Proposed
- Township
- Section
- QQ

Figure 1: Amended Place of Use & Point of Diversion

HK Contractors, Inc.
Water-right Permit Application

Project 18-0030



482 Constitution Way, Suite 303
Idaho Falls, ID 83402 208-524-2353



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

March 8, 2018

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

H & K CONTRACTORS
PO BOX 90
IDAHO FALLS, ID 83401

Application For Permit No. 25-14462

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 POST REGISTER on March 15 and 22, 2018. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**on April 2, 2018 at 5:00 pm**).

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,

Sharla Cox
Administrative Assistant

Cox, Sharla

From: Cox, Sharla
Sent: Thursday, March 08, 2018 11:23 AM
To: 'legalnotices@postregister.com'
Subject: Legal notice for your paper
Attachments: Post Register E-Mail.doc

Sharla

*Sharla Cox
Administrative Assistant
Idaho Dept of Water Resources
900 N Skyline Dr. Ste A.
Idaho Falls ID 83402
sharla.cox@idwr.idaho.gov
208-525-7161 phone
208-525-7177 fax*

March 8, 2018

Legal Notice Department

Post Register
PO Box 1800
Idaho Falls ID 83403

RE: Legal Adds for your paper

Dear Staci Dockery:

Enclosed you will find a legal notice which we wish to have published in your newspaper 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 April 2, 2018. Your cooperation is appreciated.

Sincerely
Sharla Cox
Administrative Assistant
Dept of Water Resources
900 N Skyline Dr Ste A
Idaho Falls ID 83402
208-525-7161
208-525-7177 – fax

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

25-14462
H & K CONTRACTORS
PO BOX 90
IDAHO FALLS, ID 83401
Point of Diversion
SESW S33 T03N R38E
BONNEVILLE County
Source GROUND WATER Tributary
Use: INDUSTRIAL
01/01 to 12/31 1.12 CFS
Total Diversion: 1.12 CFS
Date Filed: 3/2/2018
Place Of Use: INDUSTRIAL
T03N R38E S33 SESW NWSE

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. 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, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before April 2, 2018. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on March 15 and 22, 2018

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25-14462

H & K CONTRACTORS

PO BOX 90

IDAHO FALLS, ID 83401

Point of Diversion

SESW S33 T03N R38E

BONNEVILLE County

Source GROUND WATER Tributary

Use: INDUSTRIAL

01/01 to 12/31 1.12 CFS

Total Diversion: 1.12 CFS

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