

Saxton, Craig

From: Saxton, Craig
Sent: Thursday, April 26, 2012 1:06 PM
To: 'Steve Peel'
Subject: Water Right Permit 63-12159
Attachments: Consultants.pdf; 63-24044 Proof Report.pdf; 63-24044_Location Map.pdf; 63-23649 Proof Report.pdf; 63-23649_Location Map.pdf; 63-12547 Location Map.pdf; 63-12547 Proof Report.pdf; 63-11440 Proof Report.pdf; 63-11440_Location Map.pdf

Hey Steve,

I have attached several document to this e-mail.

I have attached maps and copies of the water right record for 4 other water rights that appear to be applicable to property owned by Premier Industrial LLC. Review the rights and maps and if you agree that they should be in the name of Primer Industrial LLC or another appropriate entity, then you will want to include these to the change of ownership form that you are already planning on completing for permit 63-12159. The fee for the change of ownership is \$25 per right (unless you are splitting a right which I don't think you will need to do). So we are looking at \$125 in change of ownership filing fees.

Here is a summary of the 4 other rights I found:

63-11440: This is a license for Fish Propagation. It authorizes storage for 7.2 AF This covers some of the storage of the large pond. So this right is for the same pond as permit 63-12159.

Details of this right can be found at:

<http://www.idwr.idaho.gov/apps/ExtSearch/DocslImages/1x7701 .PDF>

63-12547: This right is in the name of Diamond Z Manufacturing, but tax lot data indicates that the property the 63-12547 is now owned by Premier Industrial LLC

This right is Domestic use from a well. Maps and other information can be found at the link below.

<http://www.idwr.idaho.gov/apps/ExtSearch/DocslImages/1xmf01 .PDF>

63-23649: This is in the name of Marvin Moist and is for domestic use.

63-24044: This is in the name of Marvin Moist and is for domestic use.

Rule 37.03.02.050.01.c, of the Departments Beneficial field exam rules allows for 30 day's after notification that a license will be limited by the filing fee paid, to pay the additional fees. I know you just got this dropped on you and you were planning on contacting a consultant so let's set a 30 day deadline for me to at least hear back from you. If I don't hear from you by May 25, 2012, then I will send out a formal letter to outline your options to prevent voiding the permit.

Feel free to drop me a line if you have any questions.

Respectfully,

Craig

From: Steve Peel [<mailto:Steve.Peel@rulesteel.com>]
Sent: Wednesday, April 25, 2012 3:21 PM
To: Saxton, Craig
Subject:

Dear Craig,

I attempted to call your office, but I was told there is no voice mail and e-mail was my best option.

I am writing in regards to a letter dated April 20, 2012 you sent to Premier Industrial, LLC. Please give me a call at my office to discuss, at 585-3031.

Best regards,

Steve

Steve A. Peel
Chief Executive Officer
Rule Steel Tanks, Inc.



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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-11440

Priority: March 5, 1990

Maximum Diversion Rate: 0.20 CFS
Maximum Diversion Volume: 144.8 AF

This is to certify, that MARVIN MOIST
JEANETTE MOIST

21997 MIDDLETON RD
CALDWELL ID 83605

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 5, 1990; and has submitted Proof of Beneficial Use on March 14, 1994. An examination indicates that the works have a diversion capacity of 0.200 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
FISH PROPAGATION	01/01 to 12/31	0.20 CFS	144.8 AF
FISH PROP. STORAGE	01/01 to 12/31		7.2 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.20 CFS	
	Totals	0.20 CFS	144.8 AF

LOCATION OF POINT(S) OF DIVERSION:

NENE, Sec. 18, Township 04N, Range 02W
CANYON County

PLACE OF USE: FISH PROPAGATION

TWN RGE SEC

04N 02W 18

NENE

NWNE

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Return water shall be treated to insure that the effluent meets interstate stream water quality standards.
6. The right holder shall be required to provide the Department, upon request, information showing volume changes per hour necessary to maintain an adequate environment for the fish propagation facility. Volume changes per hour shall be based upon actual fish production.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

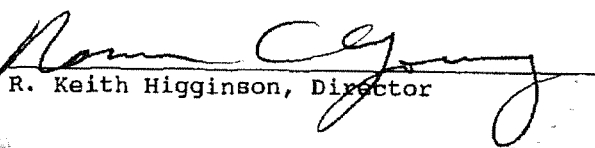
WATER RIGHT NO. 63-11440

CONDITIONS/REMARKS:

7. Use of water under this right is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 5G.
8. The facility volume is 7.2 af.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 20TH day of APRIL, 1975.

Acting for


R. Keith Higginson, Director

