



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

August 15, 2008

WALKER SAND & GRAVEL LTD CO
PO BOX 400
BELLEVUE ID 83313

RE: Water Right Permit No. 37-20834

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

☒ Point(s) of Diversion

☐ Place(s) of Use

☐ Other

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please contact me at (208) 287-4943.

Sincerely,

Aaron Marshall
Sr. Water Resource Agent

Enclosure(s)

C: Charles G. Brockway – Brockway Engineering PLLC

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 37-20834

Date of Priority: November 15, 2002

Maximum Diversion Rate: 3.47 CFS

Maximum Diversion Volume: 543.3 AF

Comes now WALKER SAND & GRAVEL LTD CO
PO BOX 400

BELLEVUE ID 83313 and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 37-20834, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
INDUSTRIAL	01/01 to 12/31	3.47 CFS	543.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 24, Twp 01N, Rge 18E, B.M.	BLAINE County
GROUND WATER	SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 24, Twp 01N, Rge 18E, B.M.	BLAINE County
GROUND WATER	SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 24, Twp 01N, Rge 18E, B.M.	BLAINE County

PLACE OF USE: INDUSTRIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N 18E 24									X	X	X	X					

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this _____ day of _____, 200__.

(Signature)

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-20834

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = _____ Received by _____ # _____ Date _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, DAVID R. TUTHILL, JR., of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 37-20834 with the following:

CONDITIONS OF APPROVAL

1. Use of water under this right shall be non-consumptive. The right holder shall cause water diverted and used under this right to be returned to the ground water by seepage or injection.
2. Return flow discharged to a subsurface system must be authorized by a separate injection well permit.
3. The following rights are diverted through point(s) of diversion described above: 37-8136, 37-8532, 37-20833, and 37-20834.
4. Rights 37-8136, 37-8532, 37-20833, and 37-20834 when combined shall not exceed a total diversion rate of 5.78 cfs.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
7. Industrial use is for sand, gravel, asphalt, and concrete processing.

Witness my hand this _____ day of _____, 2008.

DAVID R. TUTHILL, JR.
Director