

To appropriate the public waters of the State of Idaho

1. Name of Applicant D & C Properties LLC Phone (208) 356-5491
Mailing address: 342 W 4th N, Rexburg, ID 83440
2. Source of water supply Ground water which is a tributary of NA
3. Location of point of diversion is Township 5N Range 46E Sec. 30, in the SE $\frac{1}{4}$, NE $\frac{1}{4}$, SE $\frac{1}{4}$, Govt.
Lot , E.B.M., TETON County; additional points of diversion if any:
4. Water will be used for the following purposes:
Amount 0.78 cfs for INDUSTRIAL purposes from 04/01 to 10/31
5. Total quantity to be appropriated is (a) 0.78 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 Well, pump, mainline to facility for washing gravel, to infiltration (recharge) pond
 - b. Height of storage dam feet; active reservoir capacity acre-feet; total reservoir capacity acre-feet
 - c. Proposed well diameter is inches; proposed depth of well is feet
 - d. Is ground water with a temperature of greater than 85°F being sought?
 - e. If well is already drilled, when? 1982; Drilling firm ;
Well was drilled for (well owner) Reed Christensen; 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. Facility will wash gravel and sand that is excavated on site.

13. *Chlorophyll a* fluorescence was measured with a Turner Designs Model 10 fluorometer. The fluorescence was measured at 685 nm after excitation at 635 nm. The fluorescence was measured in the dark for 10 min before the measurement was taken. The fluorescence was measured in the dark for 10 min before the measurement was taken.

Department of Natural Resources
Eastern Region

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9. Description of place of use:

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

			NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	46E	30									I								

Total number of acres to be irrigated N/A

- Describe any other water rights used for the same purposes as described above. _____
- Who owns the property at the point of diversion? Applicant
 - Who owns the land to be irrigated or place of use? Applicant
 - If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____
- Remarks: This application is for a non-consumptive diversion reate to operate a gravel/sand washing facility. The facility and a recharge pond will b elocated within a 10 acre area of the applicants property and will run 7 hrs/day, 5 days/week for 7 months of the year. Ground water will be piped from the well to the facility to wash the gravel and sand. The waste water will be diverted and emptied into the recharge pond to sink back to the aquifer. Companion transfers for portions of 22-7394 (ground water) and 22-11900 (Teton Creek) will mitigate for consumptive losses due to water retained in the washed sand/gravel and pond loss due to evaporation. See the attached companion transfers mitigation plan.
- MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"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.

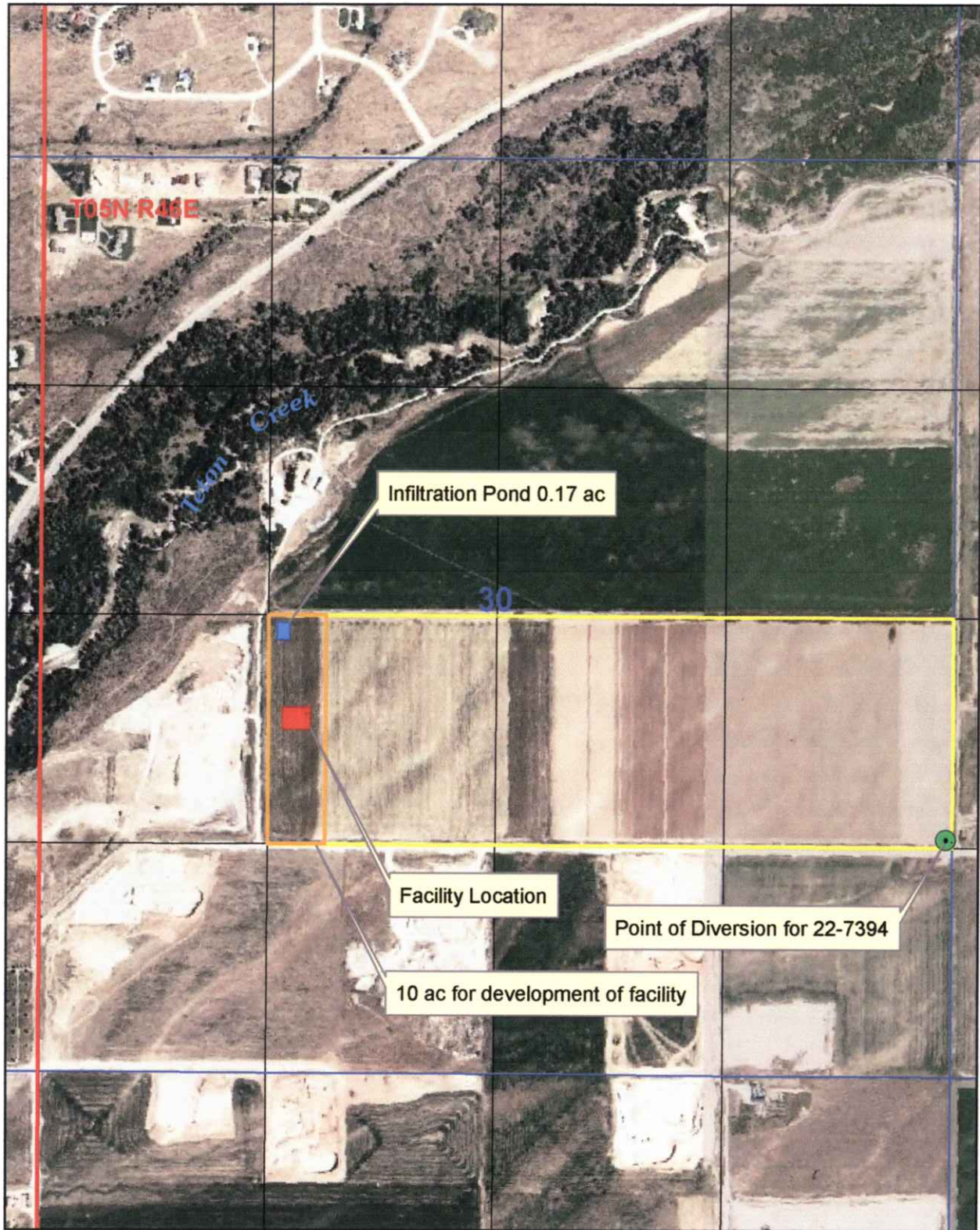
MEMBER MANAGER

David J. Walters

Signature of Applicant (and title, if applicable)

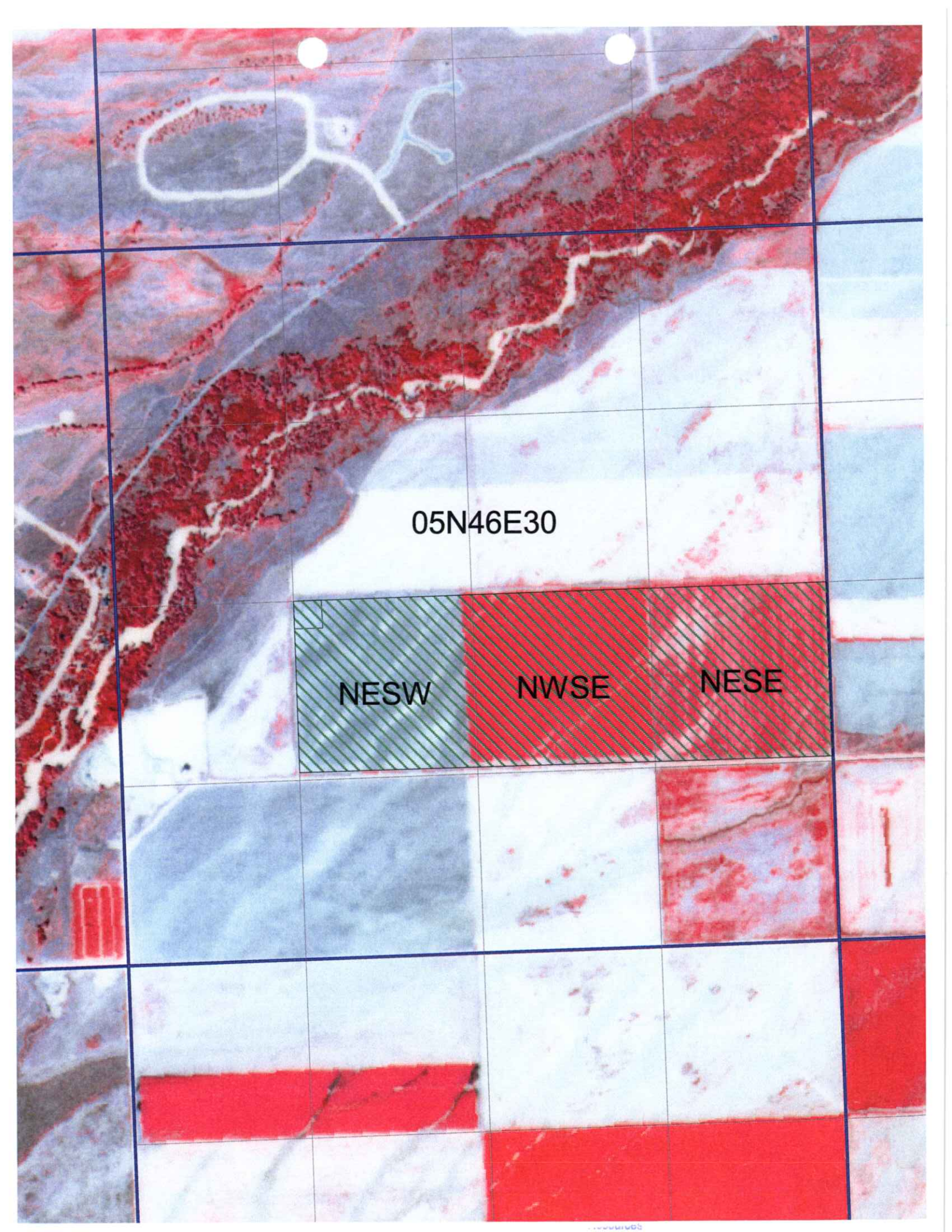
Received by sc Date 1/22/08 Time _____ Preliminary check by _____
 Fee \$ 450- Receipted by sc # E033631 Date 12/7/07
 Publication prepared by _____ Date _____ Published in _____
 Publication approved _____ Date _____

Application for ~~Transfer~~ Permit
Place of Use



2006 NAIP PHOTOGRAPHY

0 250 500 1,000 Feet



05N46E30

NESW

NWSE

NESE

Mitigation Plan for D & C Properties LLC

Place of Use Located in T5N R46E Sec 30 SESW, NESE, NWSE

The gravel washing facility will be located on the original place of use. Water will be pumped and piped to the facility for the washing of aggregate. A small amount of water will be retained in the sediments. The remaining waste water will be diverted to a pond of dimensions 75' x 100' (0.17 ac / 1.25 ac-ft) for infiltration or recharge. To mitigate for the consumption of water in the sediments and losses from evaporation in the pond, two transfers are proposed: one for the surface water right 22-11900 and one for the ground water right 22-7394.

Evaporative losses have been calculated to be 0.3 acre-feet annually using precipitation and evaporation values from the Driggs, Idaho Weather Station 102676. To mitigate for those losses, less than a quarter of an acre of water right would be required based on an irrigation requirement of 1.29 ac-ft for a crop of early harvested potatoes from the Allen and Robison report of 2006. Since there will also be losses due to retention of water in the sediments, a full acre of each water right is proposed to be transferred, which should be sufficient to account for any consumptive use by water retention in the sediments and evaporation from the infiltration pond.

The pond has a volume of 1.25 ac-ft. One acre of water right 22-11900 or 22-7394 would be able to provide the volume of 1.25 ac-ft based on an irrigation requirement of 1.29 ac-ft. The soil matrix of the pond consists of poorly sorted sands, gravels, and cobbles. This substrate infiltrates water rapidly. The pond may achieve maximum capacity while operating but will quickly lose all of its contents within a few days. One acre of water right should be adequate to compensate for the storage component.

A companion application for permit from ground water is for a non-consumptive diversion rate necessary to operate the facility.



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Ben Ysursa, Secretary of State

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D & C PROPERTIES, LLC

342 W 4TH N
REXBURG, ID 83440

Type of Business: LIMITED LIABILITY COMPANY

Status: EXISTING, ANREPT SENT 02 Apr 2007

State of Origin: IDAHO

Date of 01 Jun 2004

Origination/Authorization:

Current Registered Agent: DAVID Z WALTERS
342 W 4TH N
REXBURG, ID 83440

File Number: W30950

Date of Last Annual Report: 24 Apr 2007

Amendments:

Amendment filed 01 Jun 2004 ARTICLES OF
ORGANIZATION

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