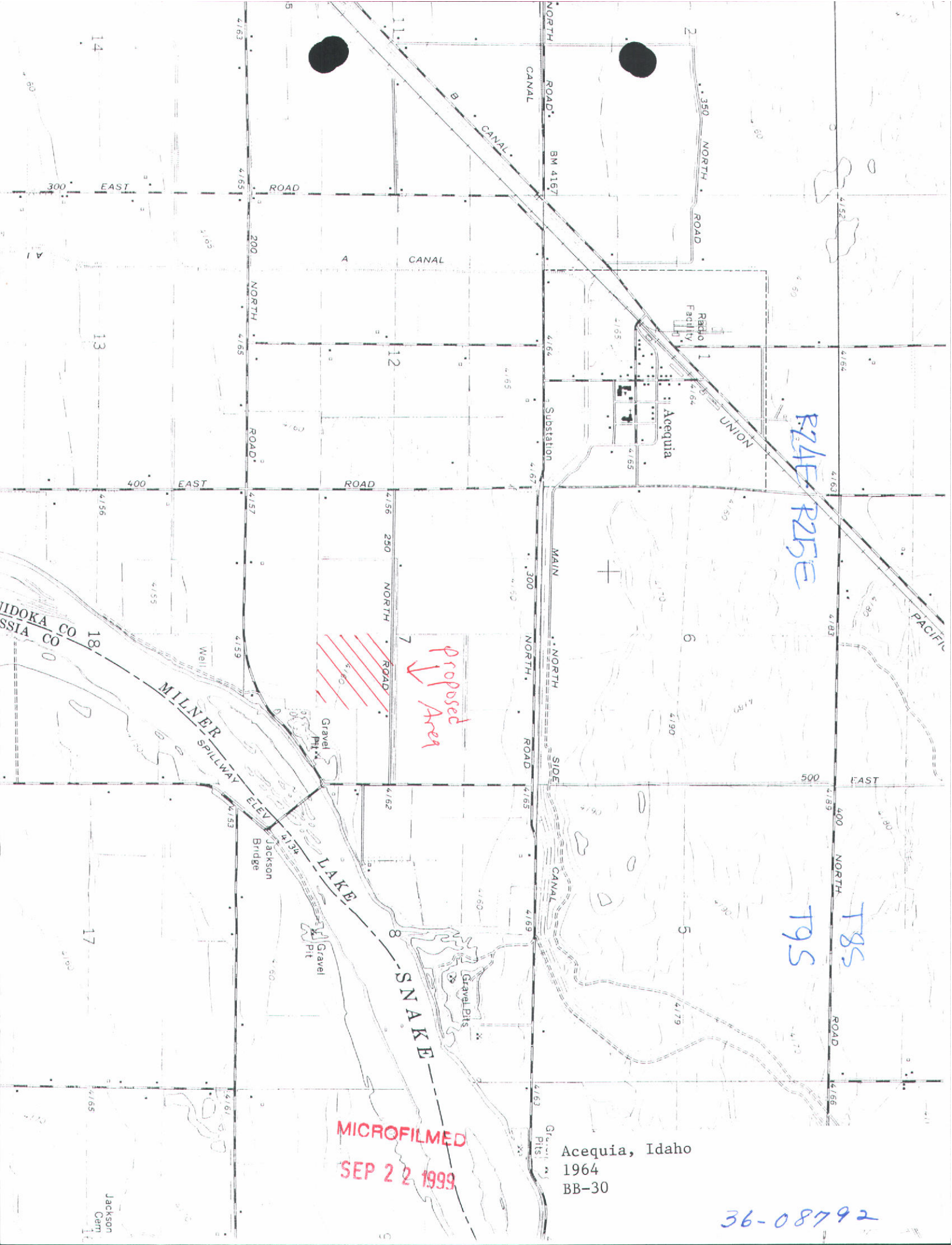




R24E R25E

T9S

T8S

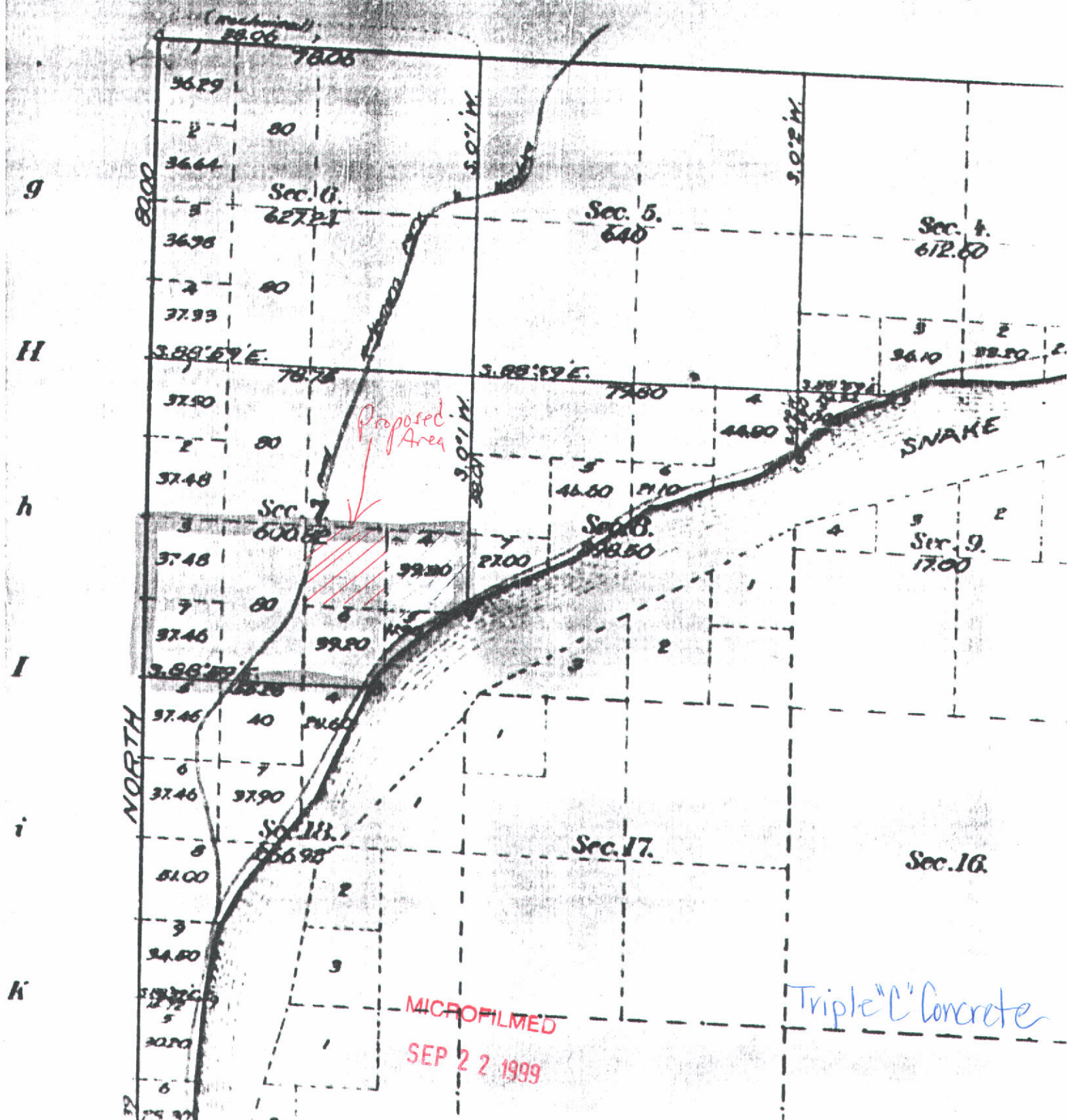
Proposed Area

MICROFILMED
SEP 22 1993

36-08792

Acequia, Idaho
1964
BB-30

G F E



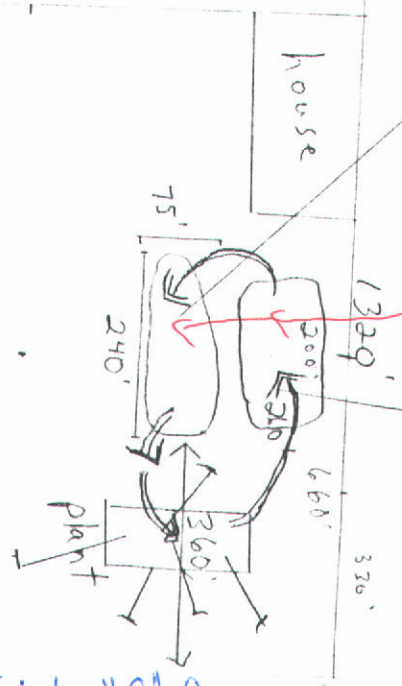
Prepared Ponds.
approximate sizes
and location



Pump Pond

Existing Ponds

Settling Pond



Triple "C" Concrete

City of Rupert
Blaine County Highway Dist

MICROFILMED
SEP 22 1999

Legend: water cycle
↙ ↘

36-08792

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right and file proof of beneficial use of water.

Permit No. 36-8792
Name(s) of Permit Holder: Triple C Concrete Inc.
Address: PO Box 951 City Rupert State Id Zip 83350
Telephone No. 208-436-9373 Date Proof is Due: 9-1-2009

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

We have continued to pump water from permit #
36-8791. We have explored and excavated on this
designated permit area. But as of yet we cannot
find sufficient depth because of rock to dig deep enough
to get water. We hope to go deeper. Costing \$ 10,000+
as we mine gravel closer to the river in the next few years.
The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Rock ledges rise and fall in the floor of our
gravel pit. These lava flows make it impossible to dig
deeper to the water table for ground water to make
a sufficiently large pond for our gravel washing needs.

Permit holder(s) request an extension to Sept. 1, 2009.

JD Boat President

(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be

APPROVED and the time within which to submit proof of beneficial use of water
is extended to December 1, 2009.

Signed this 30th day of November, 2004.

Gary Spackman
GARY SPACKMAN

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08792

Priority: June 17, 1999

Maximum Diversion Rate:

2.50 CFS

This is to certify, that **TRIPLE C CONCRETE INC**

PO BOX 95

RUPERT ID 83350

has applied for a permit to appropriate water from: **GROUNDWATER**

and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

INDUSTRIAL

01/01 to 12/31

2.50 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 7, Township 09S, Range 25E
MINIDOKA County

PLACE OF USE: INDUSTRIAL

TWN RGE SEC

09S 25E 7

NWSE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before **September 1, 2004**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
6. The issuance of this right does not grant any right-of-way or easement across the land of another.
7. Water diverted under this right will at no time be discharged back to the Snake River.
8. Industrial use is for washing gravel.
9. For each acre of pond surface area created in connection with this right, the right holder shall cease irrigating one acre of land. This condition applies to land irrigated with water from the Minidoka Irrigation District or water from any other source. If the lands on which this right is used are excluded from the Minidoka Irrigation District, this right shall be null and void unless prior written authorization, including a revised mitigation plan, is obtained from the department.

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SEP 22 1999

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08792

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

7th day of September, 1999

Karl J. Dreher
for Karl J. Dreher, Director



MICROFILMED
SEP 22 1999

RECEIVED

AUG 25 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

JUN 17 1999

Department of Water Resources
Boise, Idaho

Department of Water Resources

1. Name of Applicant Triple C Concrete, Inc. Phone 208-436-9373
Mailing address P O Box 95 ROBERT, ID 83350
2. Source of water supply groundwater which is a tributary of N/A
3. Location of point of diversion is Township 9S Range 25E Sec. 7 in the 1/4,
NW 1/4, SE 1/4, Govt. Lot none, B.M., Minidoka County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 2.5 CFS for Industrial purposes from 1/1 year-round to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 2.5 CFS 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 Electric Pump
- b. Height of storage dam NA feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
- c. Proposed well diameter is NA inches; proposed depth of well is _____ feet
- d. Is ground water with a temperature of greater than 85° F being sought? NO
- e. If well is already drilled, when? NA; Drilling firm _____
Well was drilled for (well owner) NA; 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. Pump ground water from manmade pond to wash plant for Sand and Gravel
non-consumptive use. Water is recycled through a settling pond. Ponds are dug and re-
located as Machinery is moved periodically to location close to gravel deposit.

MICROFILMED

SEP 22 1999

8. Description of place of use:

- a. If water is for irrigation, indicate a symbol 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	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9S	25E	7													I				

Total number of acres to be irrigated NA

10. Describe any other water rights used for the same purposes as described above. Property also has Minidoka Irrigation District Water Right used for farming of unmined area.

11. a. Who owns the property at the point of diversion? Triple C Concrete, Inc.

b. Who owns the land to be irrigated or place of use? Triple C Concrete, Inc.

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

12. Remarks: Non-Consumptive use of ground water is to be used instead of Minidoka Irrigation District Irrigation water connected to this property. It is estimated that evaporation from approx. 1 acre pond and a 1 acre settling pond is equal to 2 acres of farm use consumption as mitigation, 2 acres of the MID Water Right will not be used.

13. 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.

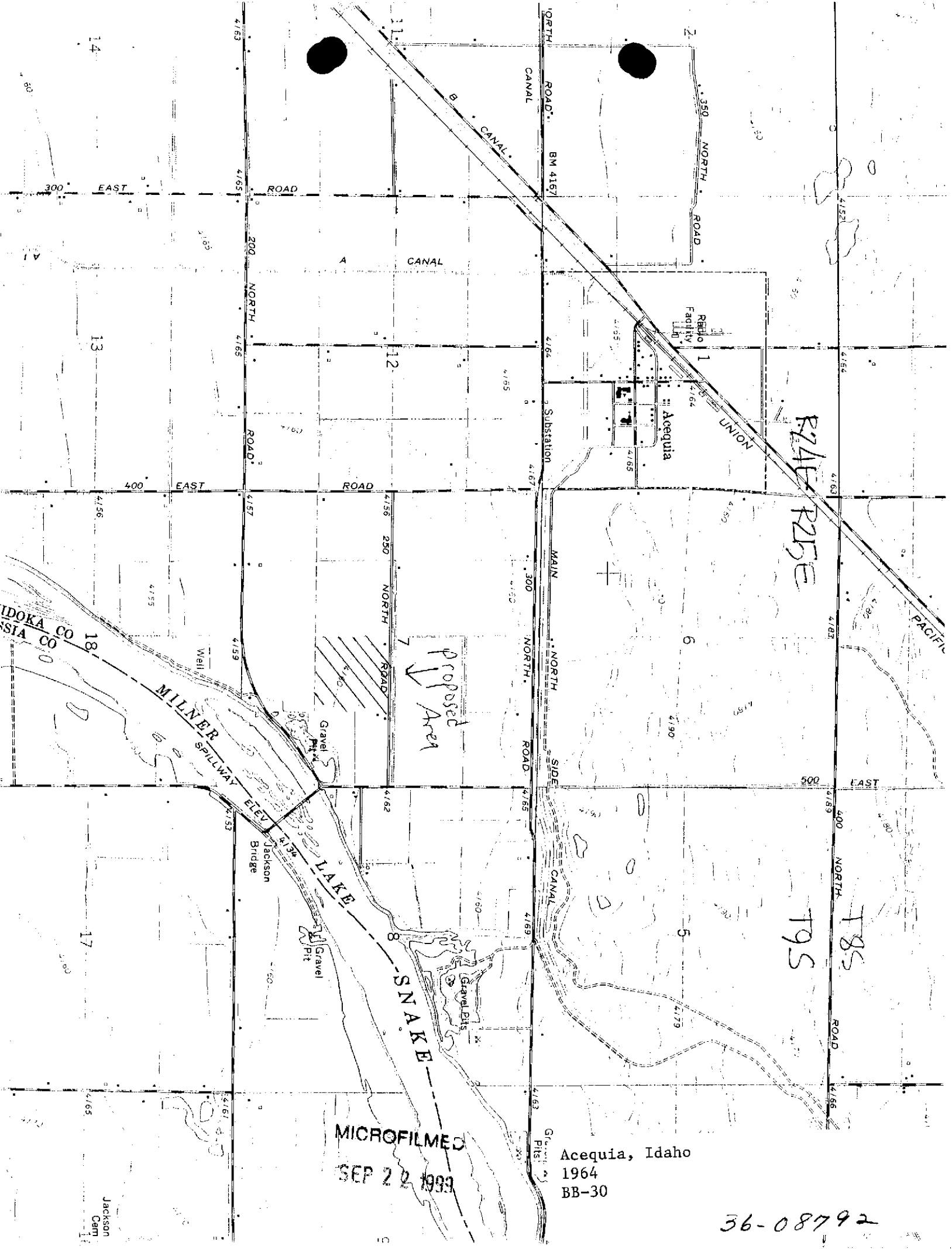
Daniel Coats President
Signature of Applicant (and title, if applicable)

Received by GLS Date 17 June 99 Time _____ Preliminary check by GLS
Fee \$ 140.00 Receipted by GLS # 5027792 Date 22 June 99
Publication prepared by MB Date 7/10/99 Published in Id. Id. Press
Publication approved MB Date 8/2/99

MICROFILMED

SEP 22 1999

36-08792



R74 R25E

T9S

T8S

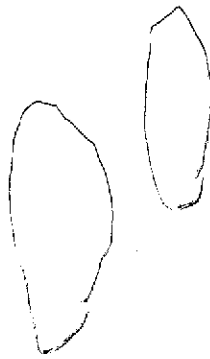
Proposed Area

MICROFILMED
SEP 22 1993

Acequia, Idaho
1964
BB-30

36-08792

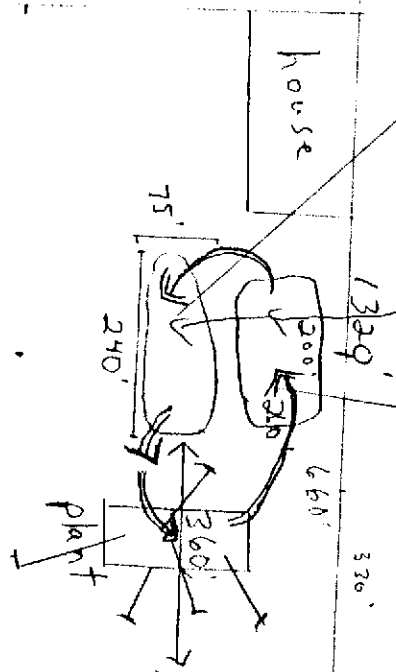
Proposed Ponds.
approximate size
and location



pump pond

Existing Ponds

Settling Pond



Triple "C" Concrete

City of Rupert
Blaine County Highway Dist.

MICROFILMED
SEP 22 1999

Legend: water cycle
↻

36-08792

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: 8022242

Date: 6/22/1999
Time: 13:38:51

Received
From: TRIPLE C CONCRETE, INC

Type of Payment	Program A cct	Amount
40 APPS FOR PERMIT (2ND CHECK#1291) 64103	229 21 1155	280.00

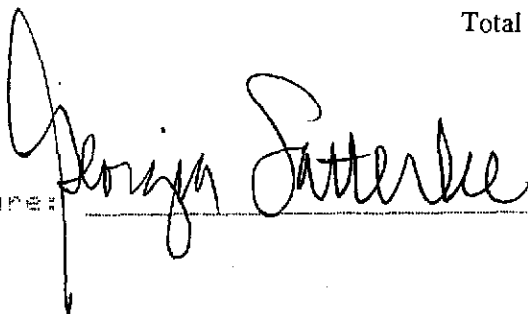
CHECK

1290

Total

\$ 280.00

Region: SOUTHERN

Signature: 

MICROFILMED
SEP 22 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 1, 2004

TRIPLE C CONCRETE INC
PO BOX 95
RUPERT ID 83350

RE: PERMIT NO. 36-8792

Dear Permit Holder:

I have enclosed a copy of the approved Request for Extension of Time ("request") you submitted to the department in connection with the above referenced permit, which extends the time to submit proof of beneficial use to **December 1, 2009**. Please note that the department granted this extension based on evidence of **due diligence**. It is important that you work diligently toward the completion of this project during the construction period allowed, since the department may not be able to grant an additional extension request based on this category.

Section 42-248, Idaho Code requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner. Additionally, these forms can be found on our website at: <http://www.idwr.idaho.gov>

If you have any questions regarding this matter, contact me at (208) 287-4942.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

November 12, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

TRIPLE C CONCRETE INC
PO BOX 95
RUPERT ID 83350

RE: Permit No. 36-8792

Dear Permit Holder:

You submitted a Request for Extension of Time to the department in connection with the above referenced water right permit. In order for the department to take action on this extension request, it must be accompanied by a \$50.00 filing fee.

Therefore, please return the enclosed copy of the request along with the filing fee, addressed to my attention. Since my initial review of this filing did not reveal the missing filing fee, and because of the delay in processing this request, I will hold this request for receipt of the filing fee for fifteen (15) days.

Please contact me at (208)287-4942 if you have any questions regarding this matter.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 30, 2004

TRIPLE C CONCRETE INC
PO BOX 95
RUPERT, ID 83350

PROOF DUE NOTICE

RE: PERMIT NO. 36-8792

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before September 01, 2004. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

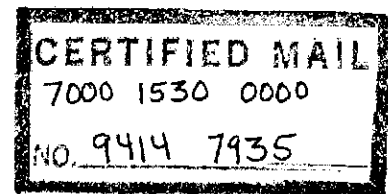
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

Sincerely,

for Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

September 8, 1999

DIRK KEMPTHORNE
GOVERNOR

TRIPLE C CONCRETE INC
PO BOX 95
RUPERT ID 83350

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 36-08792

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt
Enclosures

MICROFILMED

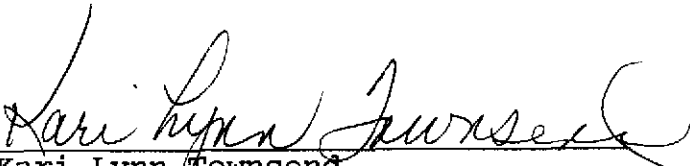
SEP 22 1999

CERTIFICATE OF MAILING

I hereby certify that on the 8th day of **September, 1999**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved Permit)** to the person(s) listed below:

Water Right No. 36-08792

TRIPLE C CONCRETE INC
PO BOX 95
RUPERT ID 83350


Kari Lynn Townsend
Secretary

MICROFILMED
SEP 22 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED

SEP 22 1999

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED

SEP 22 1999

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

No.: 36-08792 Name: Triple C Date: 8/27/99 Ad OK? ✓ Gvmt Lts: by G. Curtis

AREA OF CONCERN: - NoYes: ESRPA Mor / GWMA / Trust / Non-trust

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

- > 1 year - 26A-P17
- ≤ 1 year/no proof - P18

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

- All wells (✓ WDQ3) - 046-P23
- In Basin 34? - 085
- Irr. within WD - P05 (new well location)
- WMD (✓ MAP) - North / East / West
- > 0.24 cfs/5 acres - 067
- ≤ 0.24 cfs/5 acres - No MD

WMD

- Supp irr use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr source)
- Supp. irr + uses - 100-101
- > 0.24 cfs/5 acres - 01M (report when notified)
- ≤ 0.24 cfs/5 acres - No MD

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

- FISH & GAME CONTACTED: - YES / NO; WHEN: RESPONSE:
- IN/ABOVE MSF (✓ MAP) - *WB9
- IN-STREAM DEVELOPMENT - P52 (stream channel alteration)
- WD (✓ MAP & LISTING) - R04 (WD #)
- > 0.20 cfs - 01J-P08 (MD & LD)
- ≤ 0.20 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)
- WMD (✓ MAP)
- > 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD
- SPRINGS/SINK, INACTIVE WD & REST OF STATE
- > 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water):

- Snake R (01) - *W22 -P04, NA
- (02/03-irr) - 007 (w/ remark *WB9 if above Weiser), NA
- Payette R(65) - *W22 (regulated uses), 047-P04 (Payette Lake), NA
- Salmon R (70's) - 029 (fish screens), NA
- Weiser R (67) - 086, 087

USE:

- STORAGE (✓ 3 compo.) - 18A (in & out MD for on-stream storage)-01H-P01 (LD)/01P, 18B-P09 (>10' dam), NA
- IRR ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- > 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- STOCKWATER - R37 (BLM/USFS); NA
- MINING - 054(req) -081-P10
- FISH PROPAGATION - 029(70's only)-007-042(req)-081 (WQ)-P10
- HEATING/COOLING - R07 (injection well)
- POWER - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use); 17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

MUNICIPAL

- In restricted area? - 022, 075, 004 (+memo?)
- Irr., GW supp. to SW? - 102

DOMESTIC

- Surface water - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
- >1 in rest. area - 071-070

FIRE PROTECTION

- 077

LOCATION:

- BOISE FRONT LOGEO - 058 (<85° GW temp only)
- MITIGATION - 124
- 42-248 AREA - P84 (in 20/30/40/50/60/70/80 (87) basin)
- SWAN FALLS FLAG (✓ Code) -
- Trust - 051-052-053-P74 (Consumptive Uses), NA
- Non-Trust (1) - 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

Washing gravel, per cond per Allen M
9/11/2004

STATE OF IDAHO
IDWR SOUTHERN REGION
APPLICATION FOR PERMIT ANALYSIS SHEET

RECEIVED

AUG 25 1999

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY WRS DATE June 99

REQUIRED INFORMATION (Ck if OK)

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.
☒ Address
☒ Source (see USGS quad for names of water sources)
☒ Point of diversion (10 Acres for spring, lot & block descriptions for subdivisions, local name, flow &/or volume.
☒ County
☒ Quantity (flow &/or volume)
☒ Period of use
☒ Nature of proposed use (include description of use)
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map
☒ Signature (If applicant is corp., partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt?

++++PROPOSED PRIORITY DATE 17 June 1999

① Signed by President
② Resolution of
Board Directors

ADDITIONAL INFORMATION

- ☒ Overlapping place of use(Describe source & relationship to present application on the back.
☒ Overlapping point of diversion.
☐ Yes ☒ No Is Source Surface Water?
If Yes Send Copy to F&G.
If Yes Field check/memo required.
Field check/memo by _____
☐ Yes ☒ No Field report attached?
☒ Yes ☐ No Critical Ground water area?
☒ Yes ☐ No Groundwater management area? Snake River Basin
☒ Yes ☐ No Measurement District or Groundwater District?
What District? HVGN District
☐ Yes ☒ No Send Dam safety information?
☐ Yes ☒ No Send power requirement letter?
☐ Yes ☒ No Send fish farm requirement letter?
☐ Yes ☒ No Power residency affidavit attached?
☐ Yes ☒ No Power efficiency form?
☐ Yes ☒ No Within trustwater boundary?(If yes, attach trustwater supplementary analysis sheet.
☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft? (If yes, attach large diversion supplementary analysis sheet.
☐ Yes ☒ No Is Application made to record Pre Nov 1987 Development?
If Yes then request clear evidence of when was started.

* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

Date Requested _____

Date Sent Comments Received

SEND COPIES TO:

☐ Idaho Dept of Health & Welfare	_____	_____
☐ USDI BLM	_____	_____
☐ Idaho Dept of Fish & Game	_____	_____
☐ USFS	_____	_____
☐ Idaho Dept of Lands	_____	_____
☐ Water Dist. No. _____	_____	_____
☐ Adjudication Bureau Unit	_____	_____
_____	_____	_____
_____	_____	_____

PROCESSING ☒ Yes ☐ No In form for Advertising?

☒ Yes ☐ No Statewide Advertising?

☒ Yes ☐ No Fee amount, receipt date & No. recorded?

☐ Yes ☐ No Has all requested additional information been received?

If not, describe action taken: _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received?

☒ Yes ☐ No Application published correctly? If not, record action taken.

☒ Yes ☐ No Publication dates and paper recorded?

Final date for protest: _____

☒ Yes ☐ No Protests received?

☒ Yes ☐ No Protested?

Describe Resolution: _____

☒ Yes ☐ No Measuring device required?

☒ Yes ☐ No Access port required?

☒ Yes ☐ No Will water be delivered by watermaster? If yes, what dist? _____

☒ Yes ☐ No Special conditions codes: _____

☒ Yes ☐ No Is Evaluation Memo Attached?

If yes; date of Memo _____

Date of priority recommended: 6/17/95

COMMENTS:

RECOMMEND

☒ Approval

☐ Denial

By Adm

Date 8/23/95

MEMO

RECEIVED

AUG 25 1999

FROM: Allen Merritt 

DATE: August 23, 1999

Department of Water Resources

TO: Application for Permit No: 36-08791 & 36-08792

In the Name of: Triple C Concrete

SUBJECT: Review and Recommendation

These two applications propose to divert and use groundwater developed when digging gravel pits near the Snake River. The groundwater intercepted will be pumped and used to wash the gravel being mined. Water will be recycled through settling ponds.

At each site there will be the primary pond and a settling pond; each 1 acre in area. It is estimated that evaporation from the ponds will be equivalent to irrigation of the same area of pond surface. As mitigation the applicant proposes to cease use of irrigation of the equivalent number of acres authorized under the MID shares which are appurtenant to the site of the gravel operation.

Recommendation:

I recommend that these applications be approved subject to the following conditions:

- MID shares on property must be maintained and not leased for use on other land.
- A measuring device must be maintained on the pumps.
- Use is subject to measuring and reporting in the West ESPA Measurement District.
- For each acre of pond created an acre of irrigation must be reduced in the total allowable to be irrigated with MID shares.
- No discharge from ponds back to Snake River is authorized.
- May be subject to other county, state and federal requirements.

MICROFILMED

AUG 25 1999

SOUTH IDAHO PRESS
● BURLEY, IDAHO ●
AFFIDAVIT OF PUBLICATION

JUL 28 1999

Department of Water Resources
Southern Region

County of Cassia)
) ss
STATE OF IDAHO)

Ruth Holmes, being first duly sworn, deposes and says: is the Legals clerk of the South Idaho Press, a daily published at Burley, Idaho, in the county aforesaid and paper is of general circulation therein. Deponent further that the printed notice attached hereto was duly according to law in the regular editions of the South Idaho Press for 2 consecutive week(s), commencing issue dated July 19 1999 and ending with the issue dated July 26 1999.

99-269
NOTICE OF APPLICATIONS FOR
WATER PERMIT

The following applications have been filed to appropriate the public waters of the State of Idaho:

TRIPLE C CONCRETE INC
PO BOX 95

RUPERT ID 83350

Source: groundwater

Date Filed: 06/17/99

Use: 1/1-12/31

Industrial (2.5 cfs)

*Application for Permit No. 36-08791

Diversion Pt(s): Lot 4 (NE1/4SE1/4), S07, T09S, R25E; Minidoka County.

Total Diversion: 2.5 cfs

In: Lot 4 (NE1/4SE1/4), S07, T09S, R25E; Minidoka County.

*Application for Permit No. 36-08792

Diversion Pt(s): NW1/4SE1/4, S07, T09S, R25E; Minidoka County.

Total Diversion: 2.5 cfs

In: NW1/4SE1/4, S07, T09S, R25E; Minidoka County. The applications

propose to divert groundwater from the "Eastern Snake Plain Aquifer" presently

under a moratorium order dated April 30th, 1993. The order allows the

Director to consider on a case-by-case basis applications if it can be shown the

development will have no effect on prior surface and groundwater rights because

of its location, insignificant consumption, or mitigation by the

applicant to offset injury to other rights. The applicant has submitted a

mitigation plan as part of the applications. The permits, if approved,

will be subject to all prior water rights and to the mitigation plan. Any protest

against the proposed applications must be filed with the Department of Water

Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID

83301 together with a protest fee of \$25.00 on or before August 6, 1999 to

be considered by the Department in its decision to grant or deny any part of

the proposed applications. (Each application requires a separate protest).

The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director
Published in the South Idaho Press on July 19 and 26, 1999.

STATE OF IDAHO)
COUNTY OF)
Cassia)

On this 26th day of July in the year of 1999, me, a Notary Public, personally appeared Ruth Holmes identified to me to be the person whose name is subscribed within instrument, and being by me first duly sworn, depose that the statements therein are true, and acknowledged to me that she executed the same.

Sandra K. Burr
Notary Public for Idaho

Residing at: Rupert, Idaho

My commission expires:

Cost of Publication 68.64

Affidavit Fee 5.00

Total Cost 73.64

OK
NB
8/2/99

**NOTICE OF APPLICATIONS FOR
WATER PERMIT**

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filed to appropriate the public waters of
the State of Idaho:

TRIPLE C CONCRETE INC

PO BOX 95

RUPERT ID 83350

Source: groundwater

Date Filed: 06/17/99

Use: 1/1-12/31 Industrial(2.5 cfs)

***Application for Permit No. 36-08791**

**Diversion Pt(s): Lot 4 (NE1/4SE1/4),
S07, T09S, R25E; Minidoka County.**

Total Diversion: 2.5 cfs

**In: Lot 4 (NE1/4SE1/4), S07, T09S,
R25E; Minidoka County.**

***Application for Permit No. 36-08792**

**Diversion Pt(s): NW1/4SE1/4, S07,
T09S, R25E; Minidoka County.**

Total Diversion: 2.5 cfs

**In: NW1/4SE1/4, S07, T09S, R25E;
Minidoka County. The applications**

**propose to divert groundwater from the
"Eastern Snake Plain Aquifer" presently
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decision to grant or deny any part of
the proposed applications. (Each
application requires a separate protest).
The protestant must also send a copy of
the protest to the applicant.**

Karl J. Dreher, Director

**Published in the South Idaho Press on
07/19 & 07/26/99.**

MICROFILMED

1999 7 26



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

July 16, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ATTENTION-LEGALS
SOUTH IDAHO PRESS
230 EAST MAIN ST
BURLEY ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Administrative Assistant

Enclosure

MICROFILMED

JUL 21 1999

NOTICE OF APPLICATIONS FOR WATER PERMIT

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PO BOX 95
RUPERT ID 83350

Source: groundwater
Date Filed: 06/17/99
Use: 1/1-12/31 Industrial (2.5 cfs)

***Application for Permit No. 36-08791**

Diversion Pt(s): Lot 4 (NE1/4SE1/4), S07, T09S, R25E; Minidoka County.

Total Diversion: 2.5 cfs

In: Lot 4 (NE1/4SE1/4), S07, T09S, R25E; Minidoka County.

***Application for Permit No. 36-08792**

Diversion Pt(s): NW1/4SE1/4, S07, T09S, R25E; Minkdoka County.

Total Diversion: 2.5 cfs

In: NW1/4SE1/4, S07, T09S, R25E; Minidoka County.

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Karl J. Dreher, Director

Published in the South Idaho Press on 07/19 & 07/26/99.



State of Idaho
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

July 16, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ATTN DAVE COATS PRESIDENT
TRIPLE C CONCRETE INC
PO BOX 95
RUPERT ID 83350

Re: Application for Permit Nos. 36-08791 36-08792

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right applications for permit. The applications have been assigned the above referenced identification numbers. Please refer to these numbers in all further correspondence.

This office has scheduled advertising the applications in the South Idaho Press for 07/19 & 07/26/99. A period of ten days following the second publication will be allowed for the submittal of protests.

If an application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If an application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. If a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Georgia Satterlee
Water Resource Agent

MICROFILMED

GS:mb

M E M O T O F I L E

FROM: Georgia Satterlee
DATE: 23 June 1999
RE: (2) Applications for Permit

Corey and I met and discussed the applications with David Coates, President of Triple "C" Concrete. The permit applications are for an (1) existing gravel excavating plant and a (2) proposed gravel plant.

Both applications call to a groundwater source to wash the gravel. The groundwater is from the excavated ponds that vary in depth. The water recycles through the ponds in order to wash gravel. The amount of water applied for was calculated from the capacity of the electric pump which is rated at 1200 gpm.

The property is located within the Snake River Basin. The land not being mined is irrigated with Minidoka Irrigation District water. We discussed the SRB Moratorium and possibility of consumptive use. Mr. Coates says since the groundwater is recycled, the use of the water is non-consumptive and most of the loss is in evaporation.

However, if there is question of consumptive use, he would like to propose the mitigation of the equivalent amount of MID shares/acreage relative to the surface area of the ponds. The surface area size of the ponds, existing and proposed, is approximately 2.0 acres.

MICROFILMED

SEP 7 1999

36-08792

COMMUNICATION DOCUMENTATION

IDWR Employee/Agent Georgia Satterlee

DATE
June 7, 1999 2:43pm

CUSTOMER
David Coates

SUBJECT: Triple C Concrete, Inc.
phone call (.) walk-in (x)

Today, Corey and I discussed the application for permit with David Coates. Application submitted on 19 May 1999, I wrote a letter on 21 May 1999, returning the application and check.

After much discussion, it looks as if two application for permits would suffice the situation. The first application would call to the current operation in Lot 4 NESE $\frac{1}{4}$ of Section 7; The second application would appease the projected plans, i.e. the new pond(s) in the NWSE $\frac{1}{4}$ of Section 7.

The MID shares could be mitigated (the ponds could be considered consumptive, the size is 200'x240' = 1.1 acre).

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SEP 7 1999

36-08792



State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

May 21, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Triple C Concrete, Inc.
PO Box 95
Rupert, ID. 83350

RE: Application for Permit

Dear Applicant,

On 19 May 1999, we received the application for permit for gravel washing. Because there are a few items on the application that need to be clarified, I am returning the application for permit and the check #1254 in the amount of \$100.00.

The first item is the identification of three different locations for a well. Will there be more than one well, and where, specifically, will the well(s) be? The location for the point of diversion needs to have the section, township, range, with the quarter-quarter designation plus the lot number. Included is the lot plat map.

Secondly, the use is defined as "Gravel Washing". The use will be changed to either Industrial or Commercial Use associated with a Sand and Gravel Plant. Description of the plant operation will be useful.

Thirdly, the use from a well into a "manmade pond" and "recycled through a settling pond". Are these ponds already developed? What is the size of each pond, i.e. length, width, depth? Will the ponds be lined with any material?

The fourth item of concern is the statement, "ponds are dug and relocated as machinery is moved periodically to location close to gravel deposit." Where is the re-location in relationship to the initial place of use? Please provide a description of how often the ponds will be moved, and what happens to the original pond(s)? All the information to clarify the operation will be appreciated.

The fifth and final item is the historical use of the Minidoka Irrigation District shares. Please provide MID records of the beneficial irrigation use plus the mitigation plan appurtenant to the shares.

Cordially,

Georgia Satterlee
Georgia Satterlee
Sr. Water Resource Agent

UNRECORDED

Consumptive

36 08792

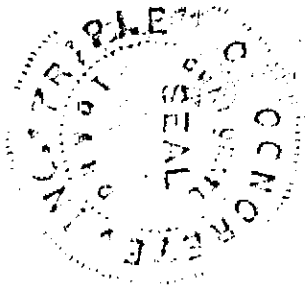
RESOLUTION OF BOARD OF DIRECTORS OF

TRIPLE C CONCRETE, INC.

RESOLVED, That David C Coats, be given authority to apply for any permit and water right as deemed necessary by him, for the purpose of gravel mining in the pit owned by Triple C Concrete, Inc. which is located described as Township 9S Range 25 E Sec 7 in Minidoka County, submitted to this meeting, be and it hereby is accepted that water rights and/or permits be obtained and signed for by David C Coats in the name and in behalf of this Corporation.

I, M. Gene Hansen, do hereby certify that I am the duly elected and qualified Secretary and the keeper of the records and corporated seal of Triple C Concrete, Inc., a corporation organized and existing under the laws of the State of Idaho, an that the above is a true and a correct copy of a resolution duly adopted at a meeting of the Board of Directors thereof, convened and held in accordance with law and the Bylaws of said Corporation on June 1, 1999, and that such resolution is now in full force and effect.

IN WITNESS WHEREOF, I have affixed by name as Secretary and have caused the Corporate seal of said Corporation to be hereunto affixed this 16th Day of June 1999.



M. Gene Hansen
Secretary

MICROFILMED

SEP 5 1999

36 08772

I Lorraine Coats give permission to David C Coats, President
of Triple C Concrete, Inc. to apply for any permits and water rights as needed for the gravel
mining as per agreement. David Coats personal Representative 6-16-99

Estate of Clyde N Coats 6-16-99

Lorraine Coats - Lorraine Coats.
Lorraine Coats Date

Hanna Olson 6-16-99
Witness Date

MICROFILMED

SEP 21 1999

36-08742



Triple "E" Concrete Inc.

P.O. Box 95
224 Read Avenue
Rupert, Idaho 83350
208-436-9373
Fax - 208-436-9382

June 16, 1999

Georgia Satterlee
Southern Idaho Regional Office
Idaho Dept. of Water Resources
1341 Filmore St.
Twin Falls, Idaho 83301-3380

RECEIVED

JUN 17 1999

Department of Water Resources
Twin Falls, Idaho

Re: Water Permit Application

Dear Georgia,

I appreciate your time and help in completing these applications. I have incorporated your suggestions into these applications and submit it for your approval. Please call if there are further questions.

Sincerely,

David Coats
President

Staff 2 apps.
Rtn to GLS
Thank You

MICROFILMED

SEP 13 1999

36-08792