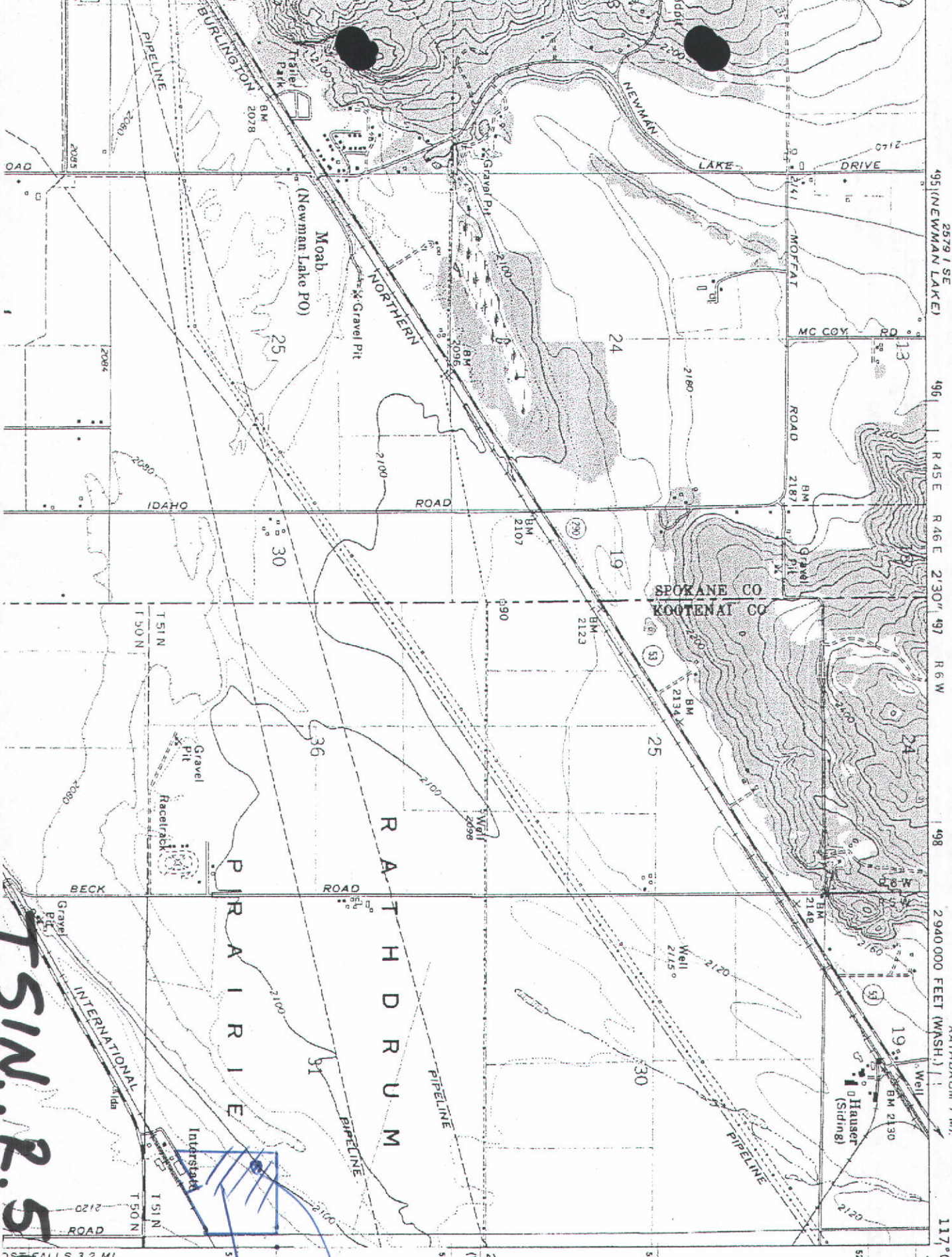


SPokane Rock Products

LIBERTY LAKE QUADRANGLE
WASHINGTON-IDAHO
7.5 MINUTE SERIES (TOPOGRAPHIC)
NE 1/4 GREENACRES 15' QUADRANGLE
RATHDRUM 7 MI.

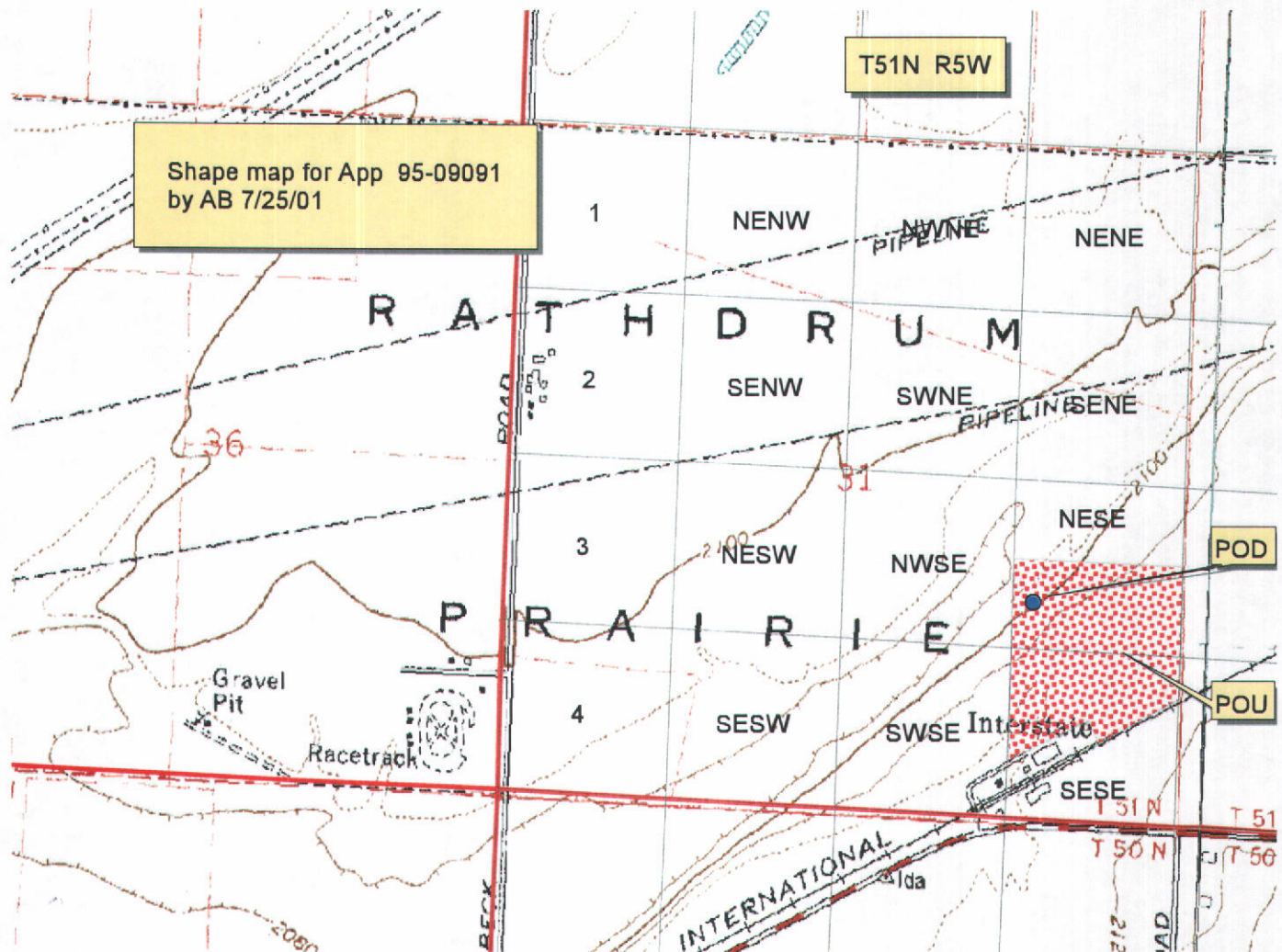


MICROFILMED
FEB 25 2002

7.5 MIN. R. 5 W.

WELL LOCATION
PAGE 2
DE 1533

OS FALLS 3.2 MI.
DAIR DALENE 12 MI.



0.2 0 0.2 0.4 Miles

- Quad IndexQuadcov.shp
- GCDBT51N05W.shp
- GCDBT50N05W.shp
- POD- ApplicationApplication POD
- Application POU
- Townships



MICROFILMED
FEB 25 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 23 2001

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 95-9091 Telephone No. (509) 533-1615
2. Name of Permit Holder(s): Spokane Rock Products/Eucon Corp.
3. Mailing Address: 104 S Freya St., Yellow Flag Bldg, Suite 207
City Spokane State WA Zip 99202
4. Source of Water: Well If **GROUNDWATER** (well), Date Drilled: mo. Oct / yr. 2001
Well Driller: Fogel Pump & Supply Drilling Permit Number: 769779
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 40 Other: Industrial (Concrete plant, Sand & Gravel Screening)
6. Total rate of diversion and/or volume for which proof is submitted: 1.45 cfs OR _____ acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes _____ or No ✓
Has the measuring device been installed? Yes _____ or No ✓
8. Fee Enclosed: \$ 125⁰⁰ (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Vern Scoggin Telephone Number: (509) 533-1615
Address: 104 S Freya St., Yellow Flag Bldg, Suite 207 Spokane WA 99202
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: [Signature] V. P. Date: 11/7/2001
(include your title, if on behalf of company or organization)

MICROFILMED

NOV 23 2002

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 95-09091

Priority: 06/29/2001

Maximum Diversion Rate: 1.25 CFS

This is to certify, that SPOKANE ROCK PRODUCTS INC/EVCON CORP
PO BOX 2200
AIRWAY HEIGHTS WA 99001

has applied for a permit to appropriate water from:

Source: GROUND WATER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
INDUSTRIAL	01/01 to 12/31	1.25 CFS
IRRIGATION	03/15 to 11/15	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 31, Twp 51N, Rge 05W, B.M. KOOTENAI County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
51N 05W 31													5.0			5.0	10.0

Total Acres: 10

PLACE OF USE: INDUSTRIAL, same as Irrigation

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before November 1, 2002.
2. Subject to all prior water rights.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
8. Industrial use is for gravel and sand processing and concrete manufacturing.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 31st day of October, 2001.

MICROFILMED

FEB 4 5 2002

Karl J Dreher
for **KARL J DREHER, Director**

69301

Ident. No. 95-9091

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED
OCT 23 2001
DEPARTMENT OF WATER RESOURCES

1. Name of Applicant SPOKANE ROCK PRODUCTS, INC Phone 509-244-5421
Mailing address P.O. BOX 2200 AIRWAY HEIGHTS, WA 99001
2. Source of water supply GROUND WATER which is a tributary of N/A
3. Location of point of diversion is Township S4N Range 5 WEST Sec. 31 in the SW 1/4, NE 1/4, SE 1/4, Govt. Lot _____, B.M., KOOTENAI County;
additional points of diversion if any: N/A
4. Water will be used for the following purposes:
- | | |
|---|------------------------------|
| Amount <u>1.25</u> for <u>INDUSTRIAL</u> purposes from <u>JAN 1</u> to <u>DEC 31</u> (both dates inclusive) | (cfs or acre-feet per annum) |
| Amount <u>0.2</u> for <u>IRRIGATION</u> purposes from <u>MAY 1</u> to <u>OCT 15</u> (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) 1.25 CFS (MAX) and/or (b) 400 AF/A
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 w/ PUMP TO SOURCE POND - 2nd PUMP TO INDUSTRIAL ACTIVITY
- b. Height of storage dam N/A feet; active reservoir capacity 1.4 acre-feet; total reservoir capacity 1.5 acre-feet
- c. Proposed well diameter is 10" inches; proposed depth of well is 200' feet
- d. Is ground water with a temperature of greater than 85°F being sought? NO
- e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 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. N/A
- b. Stockwatering; list number and kind of livestock. N/A
- c. Municipal; show name of municipality. N/A
- d. Domestic; show number of households. N/A
- e. Other; describe fully. INDUSTRIAL GRAVEL & SAND PROCESSING AND CONCRETE MANUFACTURING

MICROFILMED

FEB 25 2002

Received by dc Date 6/29/01 Time 10:45a
 Fee \$ 170⁰⁰ / 8/20⁰⁰
 Publication prepared by _____ Date _____
 Publication approved by _____ Date _____
 Received by _____ Date _____
 Fee \$ _____ / _____
 Publication prepared by _____ Date _____
 Publication approved by _____ Date _____
 Preliminary check by TS Date 6/29/01
 # NOU501/NOU502
 Published in _____ Date _____
 Signature of Applicant (and title, if applicable)

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.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8 1/2"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.)

10. Describe any other water rights used for the same purposes as described above. NONE

11. a. Who owns the property at the point of diversion? ELGIN CORPORATION
b. Who owns the land to be irrigated or place of use? ELGIN CORPORATION
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: SHOXNE ROCK RECORDS, INC. is a wholly owned subsidiary of ELGIN CORP.

12. Remarks: _____

Total number of acres to be irrigated

[illegible]

use below. See instructions for standard symbols.

b. If water is used for other purposes, place a symbol of the use (example: *D for Domestic*) in the corresponding place of

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

9. Description of place of use:

SPOKANE ROCK PRODUCTS

LIBERTY LAKE QUADRANGLE

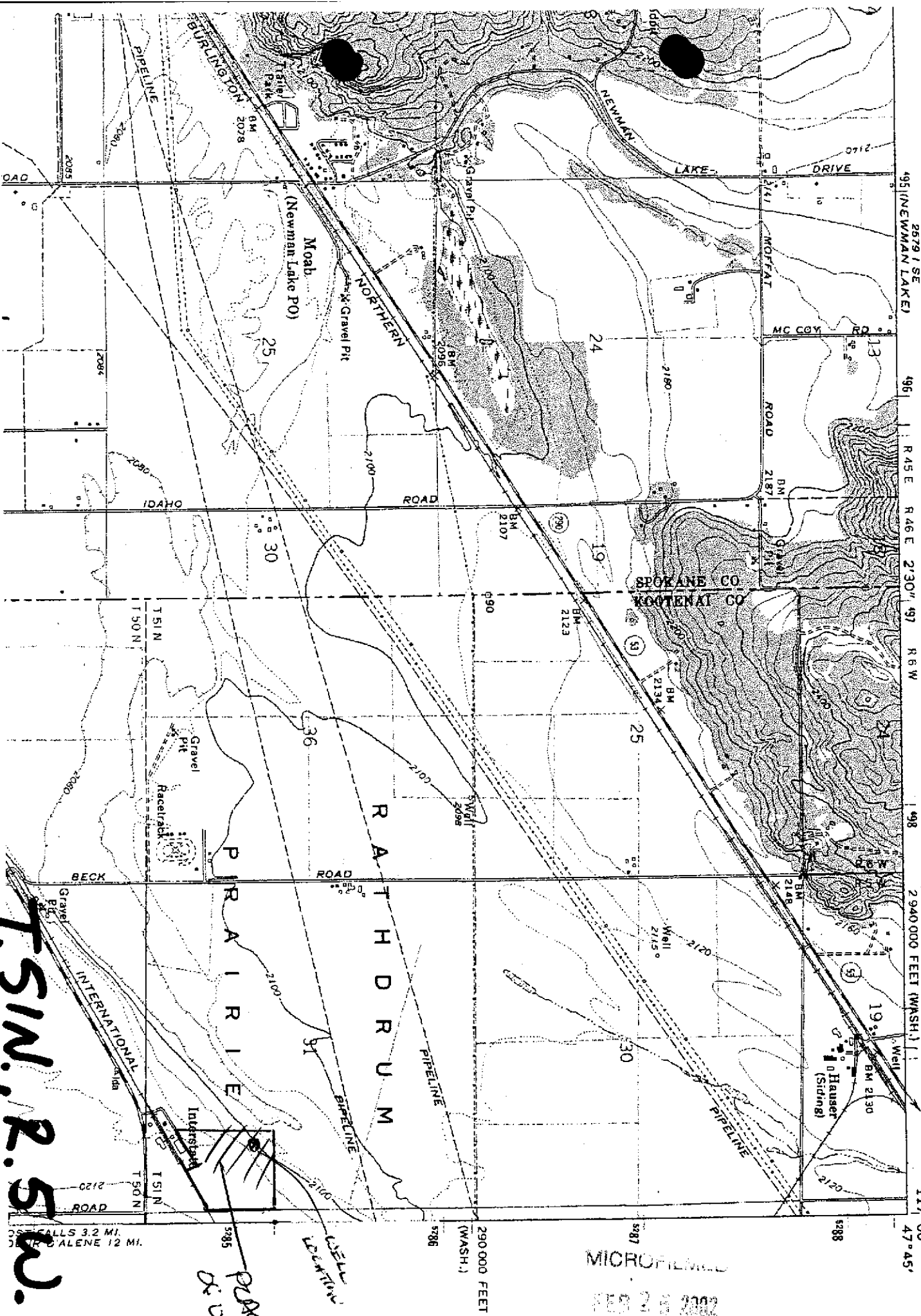
WASHINGTON-IDAHO

7.5 MINUTE SERIES (TOPOGRAPHIC)

NE 4 GREENACRES 15' QUADRANGLE

RATHDRUM 7 MI.

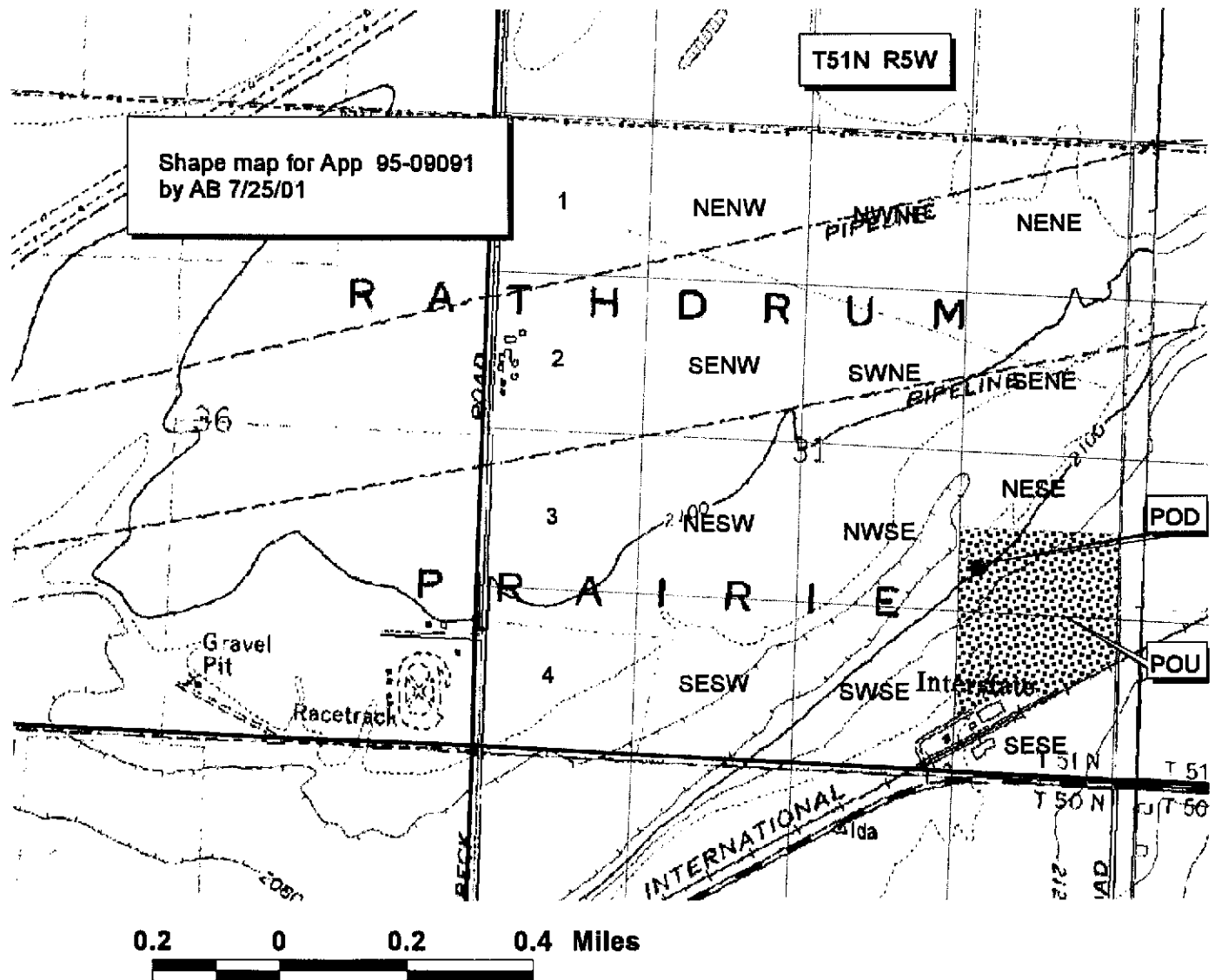
2679 IV SW
(RATHDRUM)



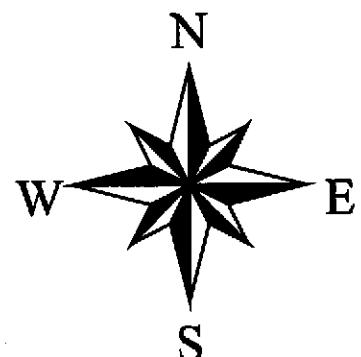
MICROFILMED
FEB 28 2002

T51N, R5W

PLATE
OR USE



- Quad IndexQuadcov.shp
- GCDBT51N05W.shp
- GCDBT50N05W.shp
- POD- ApplicationApplication POD
- Application POU
- Townships



WICFID/CLM/...

FEB 2 6 2002



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

October 15, 2002

VERN SCOGGIN
SPOKANE ROCK PRODUCTS INC/EUCON CORP
104 S FREYA ST
YELLOW FLAG BLDG STE 207
SPOKANE WA 99202

Re: Permit No. 95-09091

Dear Mr. Scoggin:

This letter is to inform you that the Proof Due Notice issued August 30, 2002 was sent to you by mistake. Please disregard this notice since you previously filed proof in this matter on November 23, 2001. I have corrected the department's database and a response from you is unnecessary.

Thank you for bringing this matter our attention. If you have any questions, please contact me at (208)327-7953.

Sincerely,

Deborah J. Gibson
Water Allocation Bureau
Administrative Assistant

cc: Northern Region, Attn: Bob Haynes

August 30, 2002

SPOKANE ROCK PRODUCTS INC/EUCON CORP
104 S FREYA ST
YELLOW FLAG BLDG STE 207
SPOKANE, WA 99202

PROOF DUE NOTICE

RE: PERMIT NO. 95-9091

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 November 01, 2002. (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.

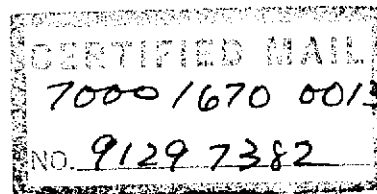
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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,

Deborah J. Gibson, Admin. Asst.
Water Allocation Bureau

Enclosures





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

December 28, 2001

SPOKANE ROCK PRODUCTS
EUCON CORP
104 S FREYA ST
YELLOW FLAG BLDG STE 207
SPOKANE WA 99202

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-09091

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use ("proof") form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

However, upon review of your permit I found that you are only authorized to divert a total of 1.25 cfs for irrigation and industrial purposes. Additionally, you are permitted to irrigate 10 acres. A copy of your proof is enclosed for comparison to your permit. I suggest you contact the Northern region at the number below, and talk to them about the limits of your permit. It may be necessary to make some changes to this proof or apply for a second permit for the additional use.

Be advised that 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. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the Northern Regional Office of the department in Coeur d'Alene at (208) 769-1450.

Sincerely,

Deborah Gibson
Administrative Assistant
Water Allocation Bureau

MICROFILMED

Encl.

c: IDWR - Regional Office

FEB 15 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 95-9091

Reviewed By: dgibson

Date: December 20, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?	X	
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:	N014501, N014502, C058012		Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?		X	Measuring device installed?		
Are the water uses correct?		X	Measure device waiver requested?		

Priority Calculation

Date proof received	11/23/2001
Date proof due	- 11/01/2002
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 06/29/2001
New priority date	= 06/29/2001

Deficiencies of Actions Items

Acknowledge proof, note differences of permit and proof regarding acres irrigated and diversion rate. Ask for confirmation from well construction of appropriate fee paid. Update address and correct spelling of Corporation. ✓

W.C. confirmed fees ok

RECEIVED

NOV 23 2001

State of Idaho
Department of Water Resources

Permit to Appropriate Water

Department of Water Resources

NO. 95-09091

Priority: 06/29/2001

Maximum Diversion Rate: 1.25 CFS

This is to certify, that SPOKANE ROCK PRODUCTS INC/EXCON CORP
PO BOX 2200
AIRWAY HEIGHTS WA 99001

EUCON

has applied for a permit to appropriate water from:

Source: GROUND WATER

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

Change made to
the database.
12/20/01 dg

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
INDUSTRIAL	01/01 to 12/31	1.25 CFS
IRRIGATION	03/15 to 11/15	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW 1/4 NE 1/4 SE 1/4 Sec. 31, Twp 51N, Rge 05W, B.M. KOOTENAI County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
51N	05W	31													10.0

Total Acres: 10

PLACE OF USE: INDUSTRIAL, same as IrrigationCONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before November 1, 2002.
2. Subject to all prior water rights.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
8. Industrial use is for gravel and sand processing and concrete manufacturing.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 31st day of October, 2001.

MICROFILMED

NOV 23 2001

Karl J Dreher
for KARL J DREHER, Director



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

November 1, 2001

SPOKANE ROCK PRODUCTS INC/EVCON CORP
PO BOX 2200
AIRWAY HEIGHTS WA 99001

RE: Permit No. 95-9091

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources 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 the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

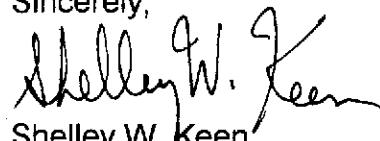
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's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

MICROFILMED

FEB 25 2002

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

Sincerely,


Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILM

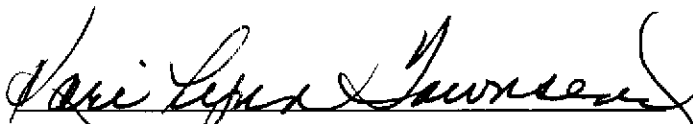
FEB 25 2002

CERTIFICATE OF MAILING

I hereby certify that on November 1, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 95-9091

SPOKANE ROCK PRODUCTS INC/EVCON CORP
PO BOX 2200
AIRWAY HEIGHTS WA 99001

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

Kari Lynn Townsend
Secretary

MICROFILMED

FEB 25 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 this 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 fourteen (14) 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 this 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED
FEB 15 2002

FINAL ORDER

The Director 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 Director 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

FEB 15 2012

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS
Reviewed by Sharla Curtis on 10/29/01

No. 95-9091 Name: Spokane Rock Products Corp. Officers ☒ Ad ok ☒ Govt Lots ☐

AREA OF CONCERN: No/Yes ☐ Moratorium ☐ GWMA ☐ TRUST/NON-TRUST

GROUNDWATER: (√Flow Chart)

DRILLING PERMIT

All wells - 046
Basin 34 - 084 (if necessary)
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

WMD

Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
Trust - 051 (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

~~STORAGE~~ - 18C-01H-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/FS)-111 (instream stock)
MINING - 054-106
HEAT/COOL - R07 (injection well)
FIRE PROT - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8
POWER - 17H or 17K (+uses)-17G (under FERC)
or 17M (not FERC regulated)
025-027-R22-08A

SURFACE WATER: (√Flow Chart)

F&G contacted - Yes/No Response

In/Above MSF - WB9

PLANNING REVIEW/RESPONSE

WD - R04 (WD#)
≤ 0.20 cfs/others - 01H, 01P or No MD
> 0.20 cfs - 01J

SPRINGS/SINK, INACTIVE WD or WD

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W23, N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - W23, 047 (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

MUNICIPAL

Restricted area - 022,075
Irr., GW supp to SW - 102
Future needs - 007,109
FISH PROP - 029 (70's only)-007-042-106

DOMESTIC

Surface water - WB5 (Big Wood/Boise above Star Bridge)
- 27A (Payette R)
>1 in restricted area - 070-071-075 (no parks/common areas)
Irr separate or none allowed - WB5
GW w/irrigation from SW evident - 065-104
Moratorium approvable - W03 (2500 gpd - meets domestic def
i.e. D/convenience store)

BENEFICIAL USE DUE: 11/01/2002

MISC CONDITIONS/REMARKS:

Protested - 020-W19
~~Development Period~~
> 1 yr - 26A
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

Multiple pd's per ¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON 3/15 - 11/15 (Per updated map)

IRR VOLUME/ACRE 3.0

OTHER CONDITIONS/REMARKS

No overlaps

COMMENTS A Neil DeAtley Pres
Fred Michael Sec/Treas

493014 ind
15 wr

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION ANALYSIS SHEET

APPLICATION # 95-9091

INITIAL REVIEW 69301

(E) B.C.A. / W.R.A. (Ok to go)

APPLICANT: SPOKANE ROOL PRODUCTS BY: [Signature] DATE: 6/29/01

ITEM REQUIRED INFORMATION

1. (X) Name and Address
2. (X) Source
3. (X) Point of Diversion & DEPARTMENT OF WATER RESOURCES
4. (X) Quantity
(X) Nature of Proposed Use
(X) Period of Use
5. (X) Total Quantity
6. (X) Description of diverting works
7. (X) Time required for b/u
8. (X) Proposed use
9. (X) Place of use or acres irrigated
10. (X) Other water Rights
11. (X) Ownership
12. (X) Map
(X) Signature
(X) Fee (Amt, receipt, acknowledgement)

*** Send info sheet Y() N()

ADDITIONAL INFORMATION

- (Yes)(No) SHAPE FILE CREATED
- X Field check: by _____
- _____ Field report attached
- _____ Analysis Supp. attached (>5cfs/500af)
- _____ Water delivered by water master?
Water District # _____

PROCESSING

- (Yes) (No) PRIORITY DATE: 6/29/01
- X (Include Moratorium Remark)
- X Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

ADVERTISE IN: KOSTENAL County

LETTERS SENT REQUESTING:

- () Dam Information () Fish Information
- () Power Information () Other: N/A

INFORMATION RECEIVED:

- () Dam Information () Fish Information
- () Power Information () Other: N/A

GROUNDWATER SECTION

WD Permit No.'s:	TAG #	Type:	Fees	Receipt No.	Upgrade Needed?
_____	_____	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()
_____	_____	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()
_____	_____	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()

- _____ Groundwater management area
- _____ Critical ground water area
- _____ Well Drilling Permit required
- _____ Well Drilling Application and Fees received
- _____ Well Drilling Application approved?

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

- (Yes) (No)
- 8/13 8/13 X Notice of pending void order issued. Final order response date: _____/_____/_____
- X Further information required from applicant
- X Affidavit of publication received
- X Application published correctly. If not, record action taken: _____
- X Publication dates and paper recorded on application | Sr. Agent initial _____
- X Protests received, Final protest date: 8/20/01
- X Measuring device required
- X Measuring port required
- X Special conditions:
- X Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: [Signature] Date: 9/13/01

AFFIDAVIT OF PUBLICATION

RECEIVED

AUG 13 2001

IDWR/North

STATE OF IDAHO, }
County of Kootenai, } ss.

Candace Maderieta being first duly sworn upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

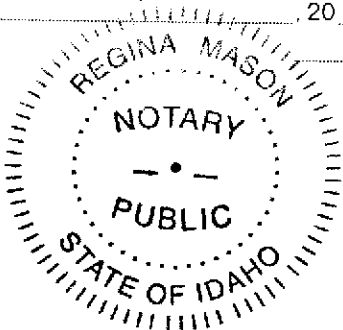
3. The legal notice

of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive weeks commencing on the 2nd day of August 20 01, and ending on the 9th day of August 20 01, and such publication was made as often during said period as said daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Candace Maderieta
Personally appeared before me this 10th day of August 20 01

Regina Mason
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.



MY COMMISSION EXPIRES 6/18/03

NOTICE OF APPLICATION FOR WATER RIGHT

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

95-9091

SPOKANE ROCK PRODUCTS INC/EVCON CORP
PO BOX 2200
AIRWAY HEIGHTS WA 99001

Point(s) of Diversion SWNESE S31 T51N R05W KOOTENAI County
Source GROUND WATER

Use: IRRIGATION	05/01 To 10/15	0.2 CFS
Use: INDUSTRIAL	01/01 To 12/31	1.25 CFS
Total Diversion:		1.25 CFS

Date Filed: 06/29/2001

Place of Use: INDUSTRIAL

T51N R05W S31 NESE SESE

Place of Use: IRRIGATION

T51N R05W S31 NESE SESE

Number of Acres 10

Remark: Industrial use is for gravel and sand processing and concrete manufacturing.

95-9092

MARVIN R ERICKSON and SHARON N ERICKSON
4095 E ERICKSON DRIVE
COEUR D'ALENE ID 83815-7949

Point(s) of Diversion SWNESE S30 T51N R03W KOOTENAI County
Source SPRING Tributary To SINKS

Use: DOMESTIC	01/01 To 12/31	0.03 CFS
Total Diversion:		0.03 CFS

Date Filed: 06/25/2001

Place of Use: DOMESTIC

T51N R03W S30 SESE

Remark: Domestic use is for one home.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42.203A, Idaho Code.

Any protest against the approval of these applications must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 for each application on or before 08/20/2001. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Legal 526
Aug. 2, 9, 2001

MICROFILM...

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

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SPOKANE ROCK PRODUCTS INC/EVCON CORP
PO BOX 2200
AIRWAY HEIGHTS WA 99001

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Use: IRRIGATION 05/01 To 10/15 0.2 CFS

Use: INDUSTRIAL 01/01 To 12/31 1.25 CFS

Total Diversion: 1.25 CFS

Date Filed: 06/29/2001

Place Of Use: INDUSTRIAL

T51N R05W S31 NESE SESE

Place Of Use: IRRIGATION

T51N R05W S31 NESE SESE

Number of Acres 10

Remark: Industrial use is for gravel and sand processing and concrete manufacturing.

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4095 E ERICKSON DRIVE
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Source SPRING Tributary To SINKS

Use: DOMESTIC 01/01 To 12/31 0.03 CFS

Total Diversion: 0.03 CFS

Date Filed: 06/25/2001

Place Of Use: DOMESTIC

T51N R03W S30 SESE

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KARL J DREHER, Director

Published on August 2 and 9, 2001

MICROFILMED

FEB 25 2002



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 Fax (208) 769-1454

July 27, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Legal Notice Department
Coeur D Alene Press
201 N 2nd
COEUR D ALENE ID 83814

Faxed 7/27
Received by Jennifer

RE: Application for Permit No. 95-9091 and 95-9092

Dear LEGAL NOTICE DEPARTMENT:

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 08/20/2001. Your cooperation is appreciated.

Thanks & ☺

Sincerely

Dianne Ball

Dianne Ball
Administrative Assistant

MICROFILMED

FEB 2 1 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615

(208) 769-1450

Fax (208) 769-1454

July 27, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

SPOKANE ROCK PRODUCTS INC/EVCON CORP
PO BOX 2200
AIRWAY HEIGHTS WA 99001

RE: Application for Permit No 95-9091

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Coeur d'Alene Press on August 2 and 9, 2001. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). 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, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight to twelve weeks.

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

Sincerely,

Allen Beardslee
Senior Water Resource Agent

MICROFILMED

FEB 25 2002

WD Tag No. _____
Drilling Permit No. _____
Water Right Permit No. _____
Injection Permit No. _____

State of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT
(FOR THE CONSTRUCTION OF A WELL)

RECEIVED

JUN 29 2001

IDWR/North,

1. Applicant (property owner): SPOKANE ROCK PRODUCTS INC / EDCON CORP
(PLEASE PRINT)

2. Mailing Address: P.O. BOX 2200

City & State AIRWAY HEIGHTS, WA Zip Code 99001 Telephone (509) 244-5421

☒ Well Owner ☒ Well Operator ☐ Contractor or Other, specify: _____

3. Proposed Well Location: Twp. 50N, Rge. 5W, Sec. 31, SW 1/4 NE 1/4 SE 1/4;

Gov't Lot No. _____ County KOOTENAI Lat. _____: _____: _____ Long. _____: _____: _____

Street Address of Well Site 3995 W SELTICE WAY POST FALLS, ID

Give at least name of road + distance to road or landmark

Lot, block and subdivision _____

4. Proposed Use of Well:

- ☐ DOMESTIC: The use of water for homes, organization camps, public campgrounds, livestock (1,000 head or less) and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivision, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

NON-DOMESTIC: ☒ Irrigation ☐ Municipal ☒ Industrial
☐ Stock ☐ Test ☐ Other _____
(Over 1,000 head) (Describe)

☐ INJECTION

☐ MONITORING: A well bore schematic and map is required for each blanket permit.
No. of proposed wells: _____

5. Well Construction Information:

A. ☒ New well ☐ Modify ☐ Replace
B. Proposed Casing Diameter 10" Proposed Maximum Depth 200'

C. Anticipated bottom hole temperature:

☒ 85°F or less ☐ 85°F to 212°F ☐ 212°F or more
(Cold Water Well) (Low Temp. Geo. Well) (Geothermal Well)

6. Construction Start Date: SEPT 1, 2001

7. Anticipated Well Driller (Firm): NOT DETERMINED Driller's Lic. No. _____

NOTE: The anticipated well drilling firm must be identified prior to drilling.

8. Applicant's Signature: _____ Date 6/27/2001

Title V. P.
(Applicant, Firm Representative, Driller, Other)

MICROFILMED

FEB 29 2002

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is _____ Date _____

If approved, this permit authorizes the construction or modification of a well subject to the following conditions.
READ CAREFULLY!

GENERAL CONDITIONS:

1. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well. All wells must be drilled a minimum distance of 100 feet from a drain field. Domestic and Public Water Supply wells must be drilled a minimum of 50 feet and 100 feet respectively from a septic tank.
3. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

SPECIFIC CONDITIONS:

Signature of Authorized Department Representative

Title

Receipt No. NO14501 Received by do Fee \$ 200⁰⁰ Date 6/29/01

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date MICROFILMED

This extension expires: _____ FEB 25 2002

Idaho Department of Water Resources Receipt

Receipt ID N014502

Payment Amount **\$120.00** Date Received **6/29/01 10:43:04 AM** Region **Northern** Status ☒
Payment Type **Check** Check Number **7131**

Payer **SPOKANE ROCK PRODUCTS INC**Comment **BALANCE OF WATER RIGHT APPLICATION FEE**

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$120.00	PERMITS	0229	21	65103	1155

Signature Line (Dept. Representative)

MICROFILMED
FEB 25 2002

Idaho Department of Water Resources Receipt

Receipt ID N014501

Payment Amount **\$370.00** Date Received **6/29/01 10:41:02 AM** Region **Northern** Status ☐
Payment Type **Check** Check Number **7130**

Payer **SPOKANE ROCK PRODUCTS INC**Comment **COMMERCIAL WELL DRILLING PERMIT FEE \$200.**
PARTIAL WATER RIGHT APPLICATION FEE \$170

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$200.00	DRILLING PERMITS	0229	21	65134	1205
\$170.00	PERMITS	0229	21	65103	1155


Signature Line (Dept. Representative)

MICROFILMED
JUL 2 8 2002

SPOKANE ROCK PRODUCTS

007131

REFERENCE NO.	DESCRIPTION	INVOICE DATE	INVOICE AMOUNT	DISCOUNT TAKEN	AMOUNT PAID
062701	MICROFILMED FEB 25 2002	6/27/01	120.00	RECEIVED JUN 29 2001 IDWR/North	120.00
CHECK DATE	CHECK NO.	PAYEE		DISCOUNTS TAKEN	CHECK AMOUNT
6/27/01	7131	STATE OF IDAHO			\$120.00

SPOKANE ROCK PRODUCTS

007130

REFERENCE NO.	DESCRIPTION	INVOICE DATE	INVOICE AMOUNT	DISCOUNT TAKEN	AMOUNT PAID
062501		6/25/01	370.00		370.00
RECEIVED JUN 29 2001 IDWR/North MICROFILM					
CHECK DATE	CHECK NO.	PAYEE		DISCOUNTS TAKEN	CHECK AMOUNT
6/25/01	7130	State of Idaho			\$370.00