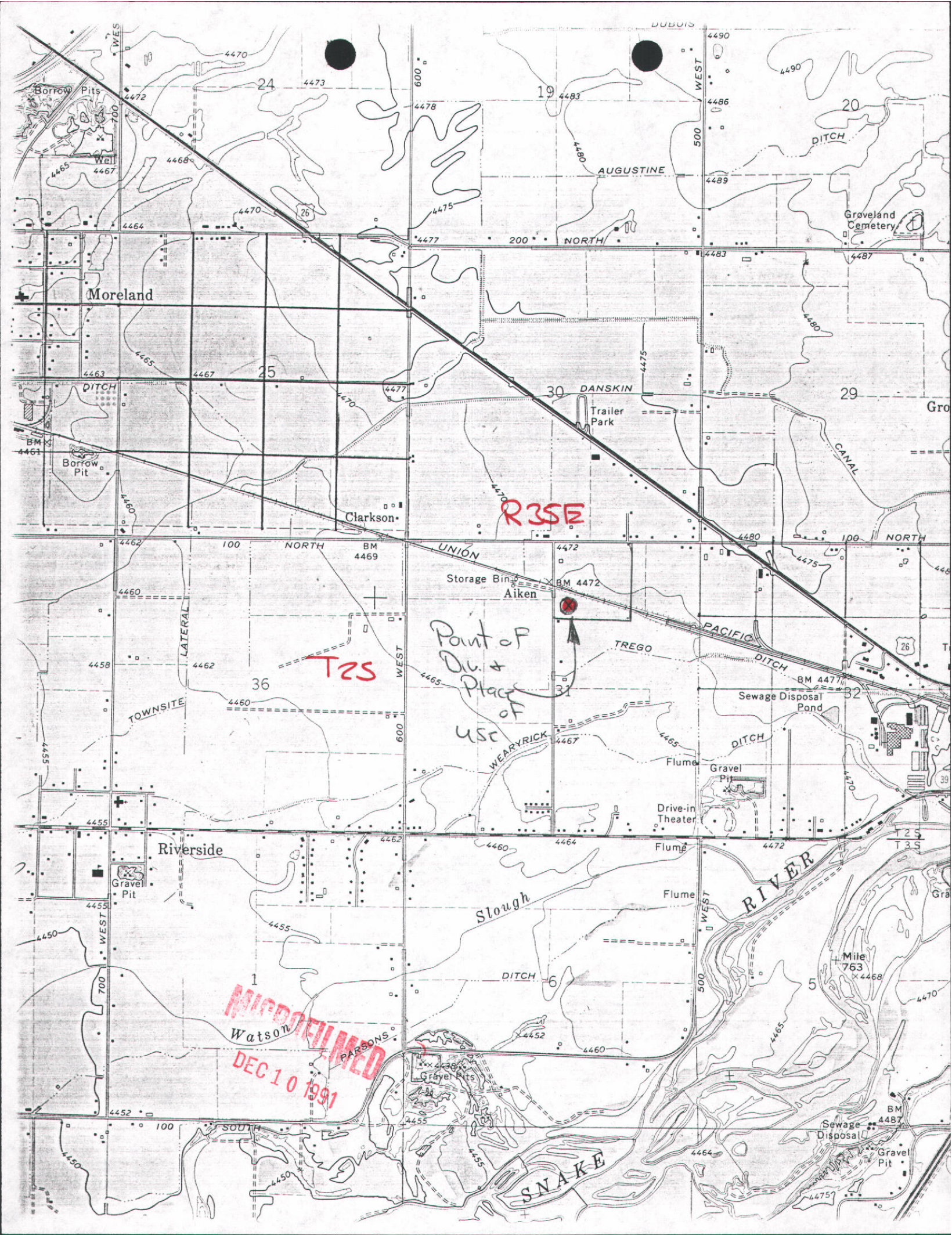
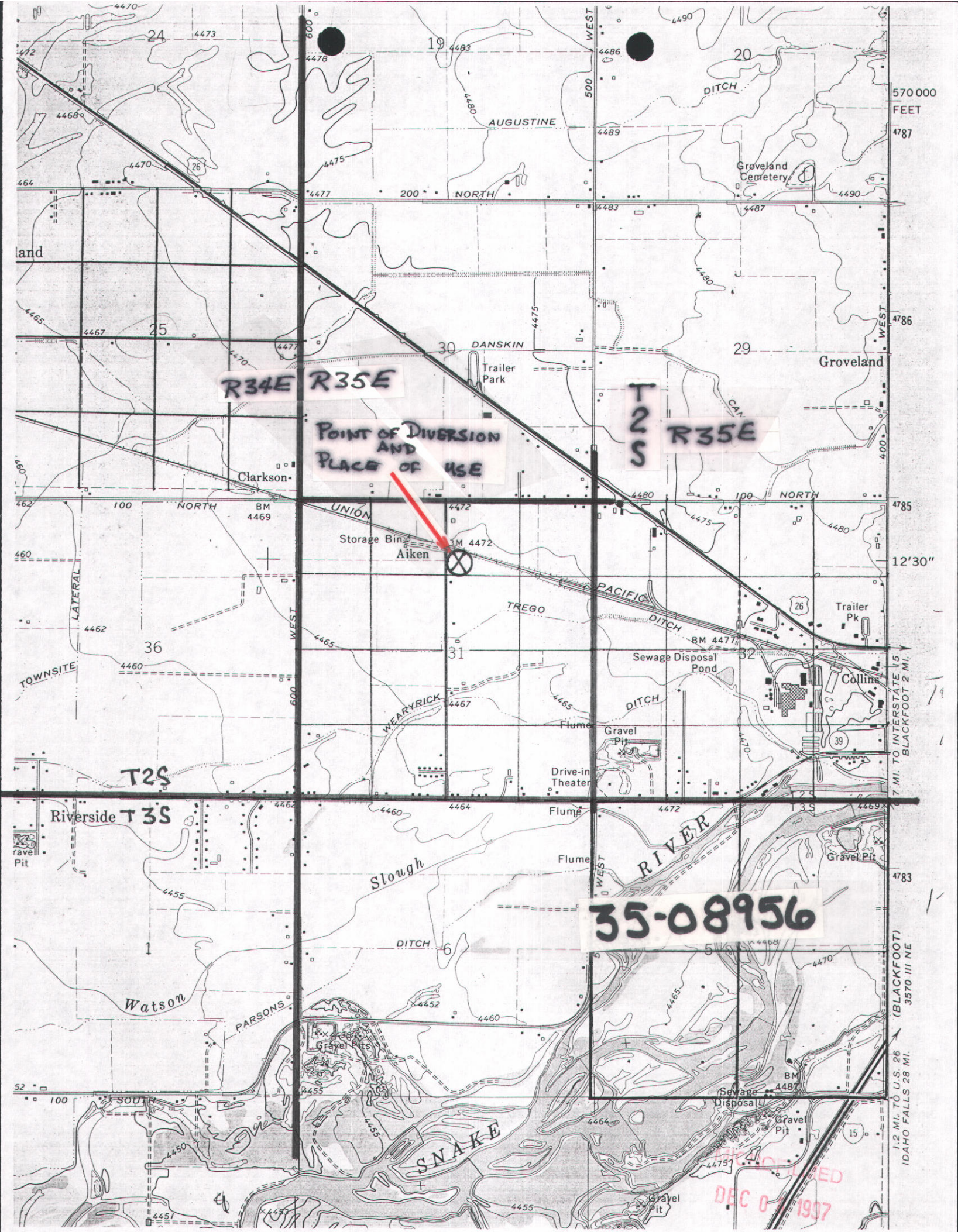






State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08956

Priority: September 25, 1991

Maximum Diversion Rate:

1.00 CFS

Maximum Diversion Volume:

206.4 AF

This is to certify, that ROXINE STONE

PO BOX 50538

IDAHO FALLS ID 83405

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 25, 1991; and has submitted Proof of Beneficial Use on October 13, 1993. An examination indicates that the works have a diversion capacity of 1.040 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
INDUSTRIAL	01/01 to 12/31	1.00 CFS	206.4 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 31, Township 02S, Range 35E
BINGHAM County

PLACE OF USE: INDUSTRIAL

TWN RGE SEC

02S 35E 31

NWNE

CONDITIONS OF APPROVAL AND REMARKS

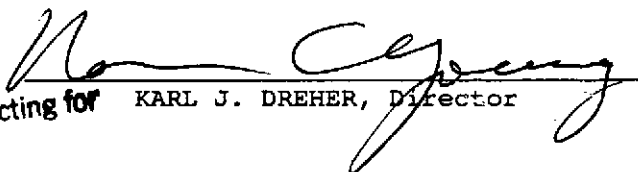
1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. Industrial use is for an asphalt processing plant and office.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08956

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 7th
day of NOVEMBER, 1997.


Acting for KARL J. DREHER, Director

DEC 8 1997

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OCT 13 1993

Department of Water Resources

OFFICE USE ONLY

Amt. of Fee \$ 100⁰⁰

Date 10-13-93

Receipt No. C028770

Receipt by Narsant

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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 a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 35-08956 Telephone No. 208-524-5871

2. Name(s) of Permit Holder(s): Roxine Stone, Idaho Asphalt Supply, Inc.

3. Mailing Address: P.O. Box 50538, Idaho Falls, Idaho 83405

4. Source of Water: Ground water

If **GROUNDWATER**, Well Driller's Name: Cushman Well Drilling Date Drilled: 1992-Sept.

OPTIONAL:

Pump horsepower: 25 Pressure (psi): 60 Dynamic pumping level (ft.): 180'

5. **Extent of Use (as authorized by the permit):**

Domestic	(No. of households)	Stockwater	(No. and type of stock)
----------	---------------------	------------	-------------------------

Irrigation	(No. of acres)	Other	Industrial
1			
2			
3			
4			
5			
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100			

6. Total rate and/or volume for which proof is submitted . 8 cfs OR acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? Yes ☒ No ☐ Installed? Yes ☐ No ☐

OR

Flow Measurement Port: Required? ☐ Yes ☒ No Installed? ☒ Yes ☐ No

8. Fee Enclosed: \$ 100.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Bryan Stromberg, 208-785-1797

Name	Telephone No.
------	---------------

75 No. 550 West, Blackfoot, Idaho 83221

Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

Date: _____

Signature (and title, if on behalf of a company or organization)

OCT 19 1993

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08956

Proposed Priority: September 25, 1991 Maximum Diversion Rate: 1.00 CFS
This is to certify, that **ROKINE STONE**
PO BOX 50591
IDAHO FALLS ID 83405
has applied for a permit to appropriate water from: **GROUNDWATER**
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	1.00 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: NWNE Sec. 31, Township 02S, Range 35E
BINGHAM County

PLACE OF USE: INDUSTRIAL
TWN RGE SEC

02S 35E 31 NWNE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **December 1, 1993**.
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. Prior to the diversion of water under this right a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
7. The Director retains jurisdiction of the right and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
8. Industrial use for office and processing.

RECEIVED
DEC 10 1991

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 35-08956

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

26th day of November, 1991.

for R. Keith Higginson
R. Keith Higginson, Director

RECEIVED

DEC 10 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: ROXINE STONE
Address: P.O. BOX 50591
IDAHO FALLS ID 83405

208-524-5871

2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: NWNE Sec. 31, Township 02S, Range 35E
BINGHAM County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
INDUSTRIAL	01/01	12/31	1.000		

5. Total quantity to be appropriated is:
1.000 CFS (and/or) AF

6. Proposed diverting works:

- Description of ditches, flumes, pumps, headgates, etc.
WELL AND PUMP FOR OFFICE AND PROCESS WATER
- Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
- Proposed well diameter is 16 inches; proposed depth of well is 140
feet.
- Is groundwater with a temperature greater than 90F being sought? NO

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 2 years.

8. Description of proposed uses:
INDUSTRIAL

9. Place of Use: INDUSTRIAL

TWN RGE SEC
02S 35E 31 NWNE

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

DEC 10 1991

11. a. Who owns the property at the point of diversion?
APPLIC.
b. Who owns the land to be irrigated or place of use?
APPLIC.
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:

13. Map of proposed point of diversion and place of use attached? ☒

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Rodine Stone
Applicant

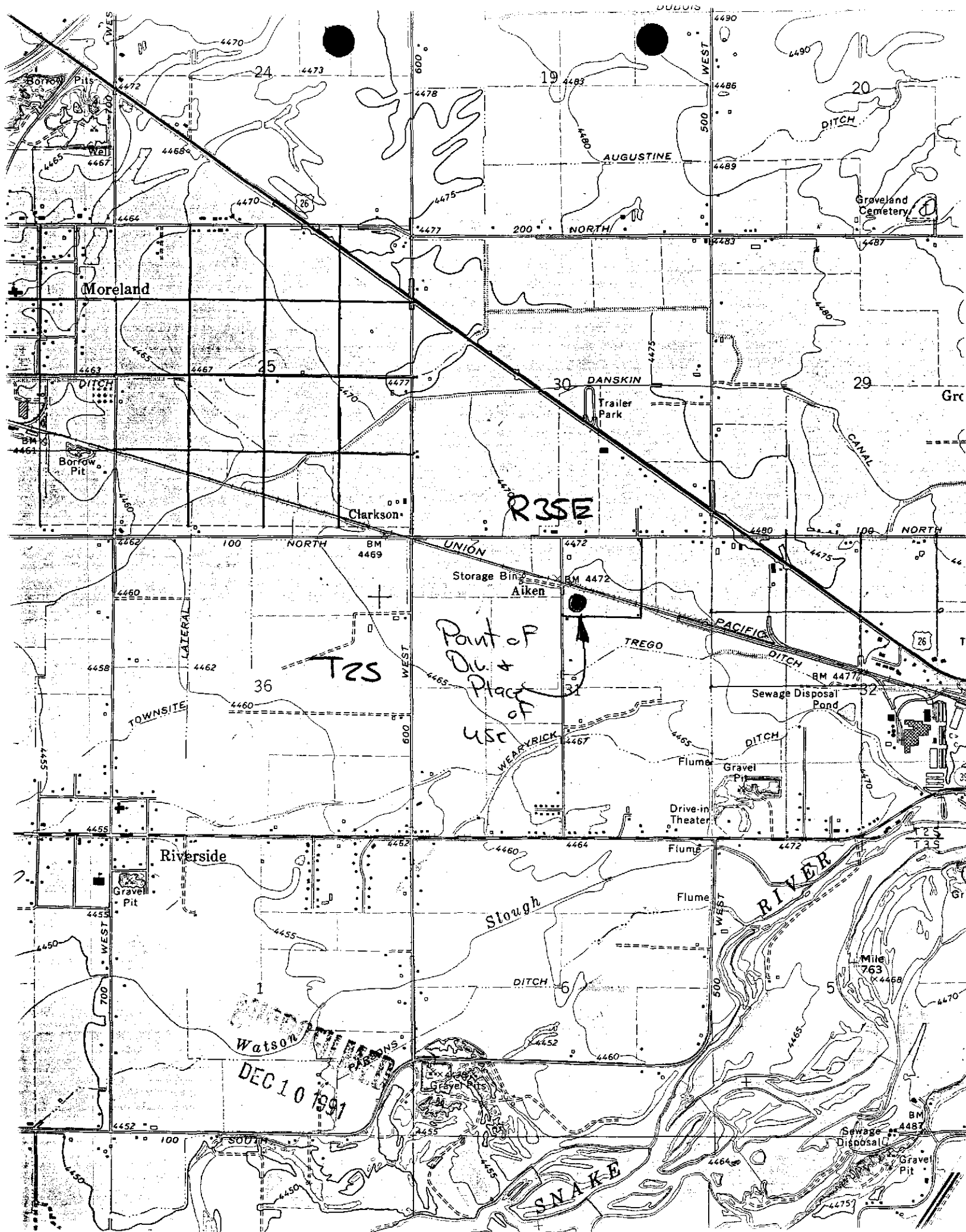
Received by HWT Date 9-25-91 Time 3:01 Preliminary check by _____

Fee \$ 45.00 Receipted by HWT # E016586 Date 9-25-91

Publication prepared by RB Date 10-19-91 Published in Morning News

Publication approved RB Date 11-7-91

MAILED
DEC 10 1991



Moreland

AUGUSTINE

Graveland Cemetery

Clarkson

R3SE

Point of Div & Place of Use

T2S

Riverside

DEC 10 1991

SNAKE

RIVER

Sewage Disposal

Gravel Pit

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NOV - 4 1991

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

do solemnly

Jacqueline Graham
Legal Coordinator
swear that I am the *Legal Coordinator* of The Morning News which is a daily newspaper of general circulation published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1911, approved March 11, 1911, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was published in said issue or said

newspaper *2* consecutive *weeks*

the first publication having been made on the *17th* day of *October*, 1991; and the last publication having been made on the *24th* day of *October*, 1991; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication and that notice was published in the newspaper and not in a supplement.

On this *1st* day of *November*, in the year 19*91*, before me a Notary Public of said State, personally appeared

Jacqueline Graham
known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Kaye Dayton
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
November 10, 1994

Affidavit Processing fee..... \$5.00

DEPARTMENT OF WATER RESOURCES
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

35-08956

ADNE, Roxine
P.O. Box 50591

Idaho Falls, Idaho 83405

Source: GROUNDWATER

County: Bingham

Diversion Pt: NWNE, Sec. 31, T. 02S, R.

SEE

Use: INDUSTRIAL (1,000 CFS).

Total Diversion: (1,000 CFS).

Date Filed: 9/25/1991.

In: T02S, R35E, S31, NWNE.

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83402, on or before NOVEMBER 4, 1991.

R. KEITH HIGGINSON
Director

(1302)
Pub.: 10/17, 24



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

November 10, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ROXINE STONE
PO BOX 50538
IDAHO FALLS ID 83405

RE: WATER RIGHT NO. 35-08956

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license 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 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 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 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 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. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this 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.

DEC 10 1997
DEC 8 1997

ORAL ARGUMENT

If the Department grants a petition to review the 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.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the 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.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

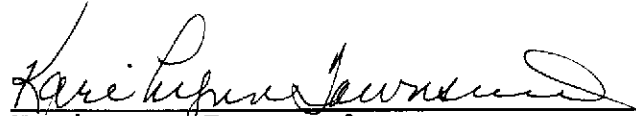
RECEIVED
3 OCT 8 1977

CERTIFICATE OF MAILING

I hereby certify that on the 10th day of November, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 35-08956

ROXINE STONE
PO BOX 50538
IDAHO FALLS ID 83405


Kari Lynn Townsend
Secretary

LICENSE REVIEW CHECKLIST

PERMIT NO. 35-08956

DATE 10/30/97

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>NO</u>
SOURCE	<u>—</u>	<u>✓</u>	Is change clarification of originally intended source? <u>—</u>
POINT OF DIV	<u>—</u>	<u>✓</u>	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	<u>—</u>	<u>✓</u>	Amendment required <u>NO</u>

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate	<u>1.0</u> cfs
Fee limit	<u>1.0</u> cfs \$100 ⁰⁰
Measured	<u>—</u> cfs
Theoretical	<u>1.04</u> cfs

Recommended Total Div Rate 1.0 cfs

ANNUAL VOLUME/
NATURE OF USES —

Use	cfs	Volume Calc
<u>Ind.</u>	<u>1.0</u>	<u>206.4</u> af
<u>—</u>	<u>—</u>	<u>—</u> af
<u>—</u>	<u>—</u>	<u>—</u> af
<u>—</u>	<u>—</u>	<u>—</u> af
SUBTOTAL	<u>1.0</u>	<u>206.4</u> af

Flow rate 1.0 cfs X 365 days X 1.98 = 722.7 af

Total volume recommended 206.4 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

Ind asphalt proc plant and
office.

CONDITIONS

— Watermaster Control WD# —
— GW Measurement/Measuring Device
— Overlap
— Use-specific conditions 048,049

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed NA
Adjustment Memo —

1st Amend Letter NA
2nd Amend Letter NA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

SEP 11 1997

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 35-08956

1. Owner: Roxine Stone, Idaho Asphalt Supply, Inc. Phone No. 524-5871

Current Address: P.O. Box 50538, Idaho Falls, ID 83405

2. Accompanied by: Jeremy Kroff EXAM DATE: 5-24-96

on site: Idaho Asphalt Supply, Inc.

Address: 75 N. 550 W. Blackfoot, ID 83221 Phone No. 785-1797

Relationship to Permit Holder: Acting Manager

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	NE	31	02S	35E	Bingham	on site / USGS MAP

2. Place(s) of Use:

Indicate Method of Determination on site / USGS map

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	35E	31		I															

FILED
SEP 11 1997

[illegible]

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin Electric	15	2366159020	Franklin Electric	2" Discharge Size

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Therofical						
Pressure Gauge 0-60 PSI						

2. Measurements: 39/5!

42 PSI

E. NARRATIVE/REMARKS/COMMENTS

Well pump mainline to asphalt processing for boilers, office bathroom. Used in some emulsions. (39 PSI) checked with 60 PSI pressure gauge.

No Measurement Port / No place to measure with Department Equipment

Place of Use: 75 N 550 W, Blackfoot, ID 83221

PLANT OPERATES ON 5 days/week YEAR ROUND

Asphalt emulsion requires 60,000 g/day 5 days/wk (6/15-9/1) for 56 days

BOILER OPERATES 24 hr/day for 365 days/year

7-year round employees goes up to 15 employees for 6/15-9/1

Have conditions of permit approval been met? ☐ yes ☒ no

MICROFILMED
DEC 08 1987

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

Theoretical $Q = 1.04$ cfs $Q_{LIMITED}$ By Permit $Q = 1.0$ cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

 $U_{DOM} = 1.2$ cfs offices / Bathrooms $U_{BOILER} = 194.9$ afa $U_{PROCESSING} = 10.3$

Total Vol = 206.4

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Industrial	1/1	12/31	1.00 cfs	206.4 afa
Totals:			1.00	206.4 afa

2. Recommended Amendments

____ Change P.D. as reflected above ____ Add P.D. as reflected above ☒ None
____ Change P.U. as reflected above ____ Add P.U. as reflected above ____ Other

I. AUTHENTICATIONField Examiner's Name KETH C Wilson Date 5/24/96

Reviewer _____ Date _____

SEAL

MICROFILMED

DEC 08 1997

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$$

$$\begin{aligned} Hp &= \text{Horsepower} = \underline{25} \\ Eff &= \text{Efficiency} = \underline{0.7} \quad (\text{Usually } 70\%) \\ \text{Lift: } &(\text{Static Level} + \text{Assumed Draw down}) \\ &\text{Static Water Level} = \underline{38} \text{ ft.} \\ &\text{Assumed Draw down} = + \underline{20} \text{ ft.} \\ &\text{Lift} = \underline{58} \end{aligned}$$

OR

$$\text{Measured Dynamic Water Level} = \underline{-} \text{ ft.}$$

$$psi = \text{Operating Pressure} = \underline{39} \text{ psi}$$

$$Q_{cfs} = \left[\frac{25}{Hp} \times 8.814 \times \frac{0.7}{eff} \right] \div \left[\frac{58}{Lift} + \left(\frac{39}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\underline{154.245} \right] \div \left[\underline{148.0} \right]$$

$$Q_{cfs} = \underline{1.04} \text{ cfs}$$

RECEIVED
DEC 28 1960

PERMIT NO. 35-08956

VOLUME CALCULATIONS:

BATHROOMS/OFFICE: Total of 7 people year Round
Total of 15 people for 6/15 - 9/1 (= 56 days)

$$V_{\text{BATH/OFFICE}} = 1.2 \text{ afa}$$

BOILER: Operates 24hr/day 365 days/yr

Assume Flow

$Q_1 = 0.50 \text{ cfs}$ for 12hrs/day for 56 days ($\frac{1}{2}$ days)

$Q_2 = 0.25 \text{ cfs}$ for 12hrs/day for 56 days ($\frac{1}{2}$ days)

$Q_3 = 0.25 \text{ cfs}$ for 309 days (remaining days of year)

$$V_{\text{BOILER}} = V_{\text{OL}} Q_1 + V_{\text{OL}} Q_2 + V_{\text{OL}} Q_3$$

$$V_{\text{OL}} Q_1 = (0.50 \text{ cfs}) (1.9835 \frac{12 \text{ hr}}{24 \text{ hr}}) (56 \text{ days}) = 27.8 \text{ afa}$$

$$V_{\text{OL}} Q_2 = (0.25 \text{ cfs}) (1.9835 \frac{12 \text{ hr}}{24 \text{ hr}}) (56 \text{ days}) = 13.9 \text{ afa}$$

$$V_{\text{OL}} Q_3 = (0.25 \text{ cfs}) (1.9835) (309 \text{ days}) = 153.2 \text{ afa}$$

$$V_{\text{BOILER}} = 194.9 \text{ afa}$$

PROCESSING: From 6/15 to 9/1 (78 days) or 56 days for 5 day work week
Producing an asphalt emulsion requiring 60,000 gal of water per day.

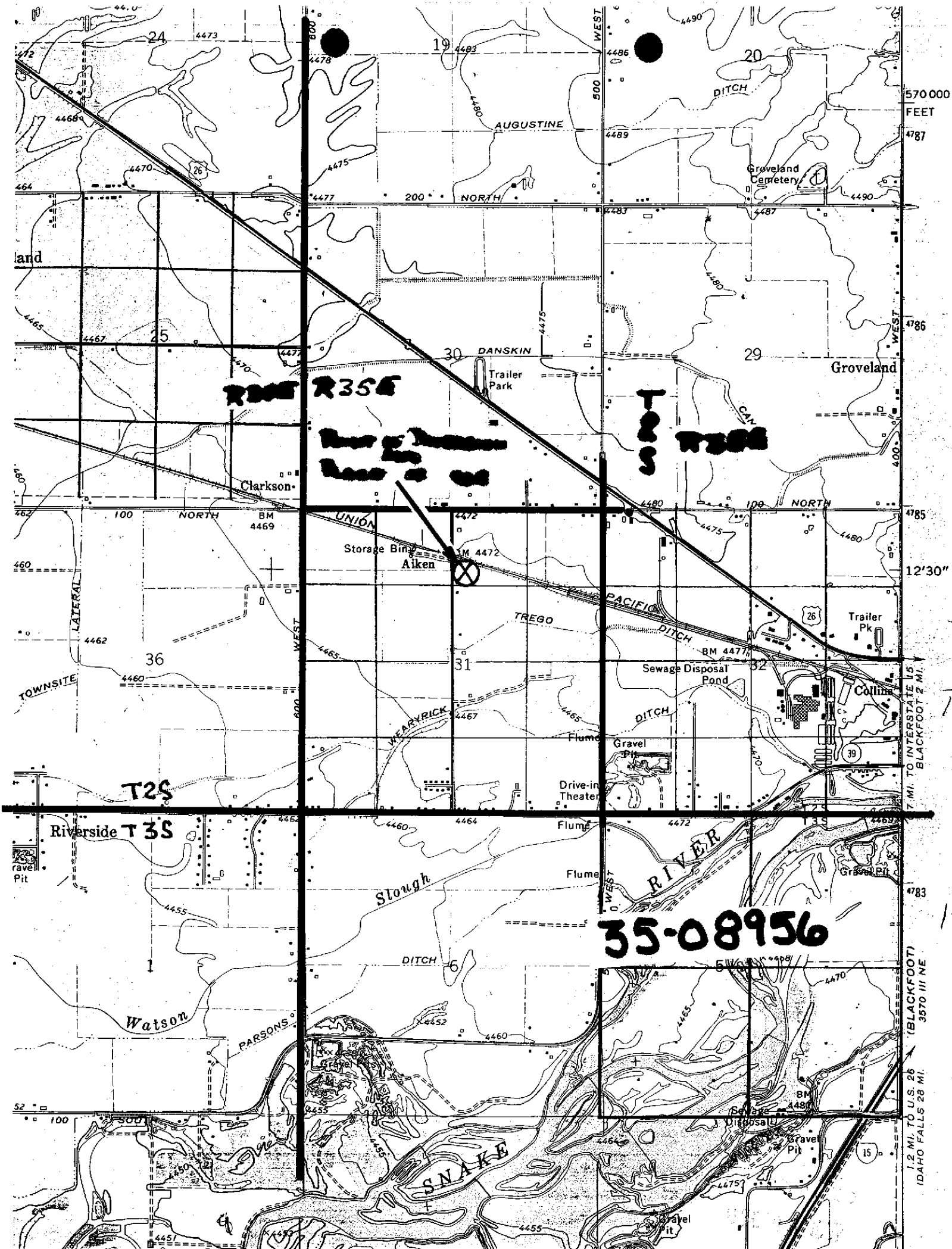
$$V_{\text{PROCESSING}} = \left[\left(60,000 \frac{\text{gal}}{\text{day}} \right) (56 \text{ days}) \right] \div 325,850 \text{ gal/afa}$$
$$= 10.3 \text{ afa}$$

Total Volume:

$$V_{\text{TOTAL}} = V_{\text{BATH/OFFICE}} + V_{\text{BOILER}} + V_{\text{PROCESSING}}$$
$$= 1.2 \text{ afa} + 194.9 \text{ afa} + 10.3 \text{ afa}$$

$$V_{\text{TOTAL}} = 206.4 \text{ afa}$$

PERMIT # 35-08956



October 15, 1993

ROXINE STONE
PO BOX 50538
IDAHO FALLS ID 83405

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08956

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use 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.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Karen L. Gustafson
Senior Secretary

c: IDWR - Region

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ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 35-08956

Reviewed by kg

Date 10/14/93

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
no Address same as permit?
yes Proof timely received?
If not, complete calculation below.

industrial
Correct Uses? yes

SOURCE OF WATER

Surface water source
Ground water source

yes Drilling permit required?
data c Copy in the file? Drilling Permit No. 35-92-E-0049-000
200 Amount paid for permit yes Correct?
yes Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
100 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
yes Installed?
NA Waiver requested?

PRIORITY CALCULATION

Date proof received NA
Date proof due -
No. of days late =
Priority Date +
New Priority Date -

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address PO Box 50538

Proof Made 10/13/93
10/15/93

PERMIT
NUMBER

35-92-E-0049-000

OWNER
CODE

O

NAME & ADDRESS

ROXANNE STONE
PO BOX 50591
IDAHO FALLS, ID 83405
(208) 524-5871

O

IDAHO ASPHALT
PO BOX 50538
IDAHO FALLS, ID

Subdivision Location and Description:

Subdivision Name:
Well Site Address: TREGO ROAD
City, State:

Proposed Use of Well: Industrial

Well Use Comments:

Driller License No: 0094

Permit Status: Permit

Specific Conditions:

Permit Remarks:

Geographic Location:

Accuracy Code:

Lat: N

Long: W

Rt.

Proposed Depth:

Proposed Casing Diameter: 12 In.

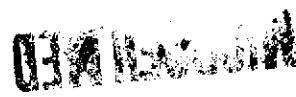
Lot(s):
Block(s):

Firm Name: JACK CUSHMAN DRILLING INC
Official: BOBBY L CUSHMAN

Receipt No. E017387
Receipt Date 05/28/1992
Fee \$ 200.00

Verbal Issue Date: 05/28/1992
Date Received: 05/28/1992
Date Approved: 05/28/1992
Proposed Start Date: 06/22/1992
Extension Date:
Extension Expiration:

OCT 19 1993



WELL DRILLER'S LOG REPORT

Drilling Permit No: 35-92-E-0049-000

Water Right No: 35-08956
Injection Permit No:

Nature of Work: NEW WELL

Construction Method: CABLE

Casing Diameter: 12 In.
Depth of Casing: 69 Ft.
Total Depth: 150 Ft.
Screen Installed? - No

Static Water Level: 38 Ft.
Temperature: 54 F.
Production Rate: GPM

Number of Monitor Wells:

Actual Start Date: 06/15/1992
Well Finish Date: 07/24/1992
Log Received Date: 08/05/1992
Certification Date: 08/04/1992
Field Inspection Date:

Well Log Remarks:

Inspector:

September 30, 1993

ROXINE STONE
PO BOX 50591
IDAHO FALLS ID 83405

PROOF DUE NOTICE

RE: PERMIT NO. 35-08956

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 December 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete 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.

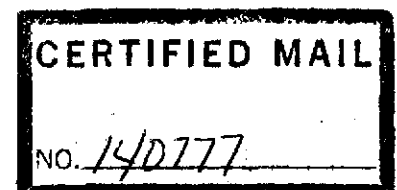
SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

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WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 3, 1991

ROXINE STONE
PO BOX 50591
IDAHO FALLS ID 83405

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 35-08956

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

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. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of of measuring device options.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well

DEC 10 1991

so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

PS:blm

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APPLICATION FOR PERMIT REVIEW *P*

Application #: 35-8956
 Date: 11-22-91

Reviewer: Pam Skaggs

✓ Existing:

✓ No

Complete in 1 year - 26A-P17

P16

Yes

Proof not submitted - P16

Proof submitted - N/A

✓ Groundwater:

✓ GT. 0.2 cfs - 01G-P03, 01C-P03(existing well)

LT. 0.2 cfs - N/A

✓ Drilling Permit:

✓ Approved w/permit - P99

✓ Not included - 046-P23(All GW, even existing wells)

✓ Location:

✓ Water Districts - WD No. 01

Surface water - 005, 005-01H-P01(LT.2 w/pump)

005-01J-P08(GT.2)

✓ Groundwater - P05

Irrigation Districts - 023

Canal Co. Areas - 023

Drainage Districts - 024

✓ Boise Front (63) - 058 (Groundwater)

✓ Swan Falls Flag - 1 (1, Blank or Other)

Trust - 051-052-053-P74(Consumptive Uses)

✓ Non Trust - 048-049

River Basins:

(Surface Water) Water District Control Condition &....

Boise (63) - 05A & 11E

Payette (65) - 047-P04, 059-P71

Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

Use:

Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
 042(req.), 002-P06(MD), 07A(Spec.),
 044(Policy 5G)

Power - Use Power Review

Mining - 06A, 010, or 09E-P10 & 054(req.)

Storage - 18A-for multiple measuring devices(In WD),
 18B-P09(Size)

Rec. & Aesthetic - 027(Non-Consumptive)

Domestic - 021(restricted areas)

Ownership:

Non land owner - 004

Protested:

Agreement - 020

✓ Beneficial Use Due Date: - 12-01-1993
 Other Conditions Recommended

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IDAHO DEPARTMENT
OF HEALTH AND WELFARE

DIVISION OF
ENVIRONMENTAL QUALITY

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1991

Resources
Office

224 South Arthur, Pocatello, ID 83204-3202, (208) 236-6160

Cecil D. Andrus, Governor Richard P. Donovan, Director

November 1, 1991

Mr. Harold Jones
Department of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83402

RE: Applications # 13-7490 and 35-08956

Dear Mr. Jones:

Thank you for allowing us to review the above mentioned applications. The Division has no objections to the applicants plans. Should you have any questions or comments, please feel free to call.

Sincerely,

Blaine Drewes

Blaine Drewes
Water Quality Compliance Officer

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Dist. for staffing: 26-Sep-1991
Submitted for advertising: 9-27-91

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATIONS FOR PERMIT ANALYSIS SHEET

35-8956

INITIAL REVIEW BY HWS
APPLICANT NAME: ROXINE STONE

DATE 9-27-91

APPLICATION NO. _____

REQUIRED INFORMATION

- ☒ 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 and/or volume)
☒ County
☒ Quantity (flow and/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

ADDITIONAL INFORMATION

- _____ Overlapping place of use (Describe source & relationship to present application on the back.)
_____ Overlapping point of diversion
_____ Yes _____ No Field check required
_____ Yes _____ No Field check by _____
_____ Yes _____ No Field report attached
_____ Yes _____ No Critical groundwater area
_____ Yes _____ No Groundwater management area
_____ Yes _____ No Send dam safety information
_____ Yes _____ No Send power requirement letter
_____ Yes _____ No Send fish farm requirement letter
_____ Yes _____ No Power residency affidavit
_____ Yes _____ No Power efficiency form
_____ Yes _____ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
_____ Yes _____ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)

See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____

_____ Date Requested _____

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Department of Water Resources

<u>SEND COPIES TO</u>	☒ Idaho Dept. of Health & Welfare	☐ U.S. BLM
	☐ Idaho Dept. of Fish & Game	☐ U.S. Forest Service
	☐ Idaho Dept. of Lands	☐ Water District
	☐ Adjudication Bureau Unit	☐ Other

ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from

<u>City</u>	<u>Idaho Fish & Game</u>	<u>Irrigation District</u>
<u>County</u>	<u>Idaho Health & Welfare</u>	<u>Canal Company</u>
<u>Reservations</u>	<u>Division of Environment</u>	<u>Other</u>

Project impacts/implications report

COMMENTS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

OCTOBER 10, 1991

THE MORNING NEWS
P.O. BOX 70
BLACKFOOT, ID 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before NOVEMBER 4, 1991.

Yours truly,

Rita Bodell
Secretary

Encl.

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DEC 10 1991

STONE, ROXINE
PO BOX 50591
IDAHO FALLS, ID 83405

Source: GROUNDWATER

Diversion Pt: NWNE Sec 31 T 02S R 35E

```
Use: INDUSTRIAL ( 1.000 CFS)
      Total Diversion: ( 1.000 CFS)
```

Date Filed: 9/25/ 1991

In: T02S R35E S31 NWNE

DEC 20 1991

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before NOVEMBER 4, 1991.

R. Keith Higginson, Director

Published 10/17/1991 & 10/24/1991

DEC 10 1991