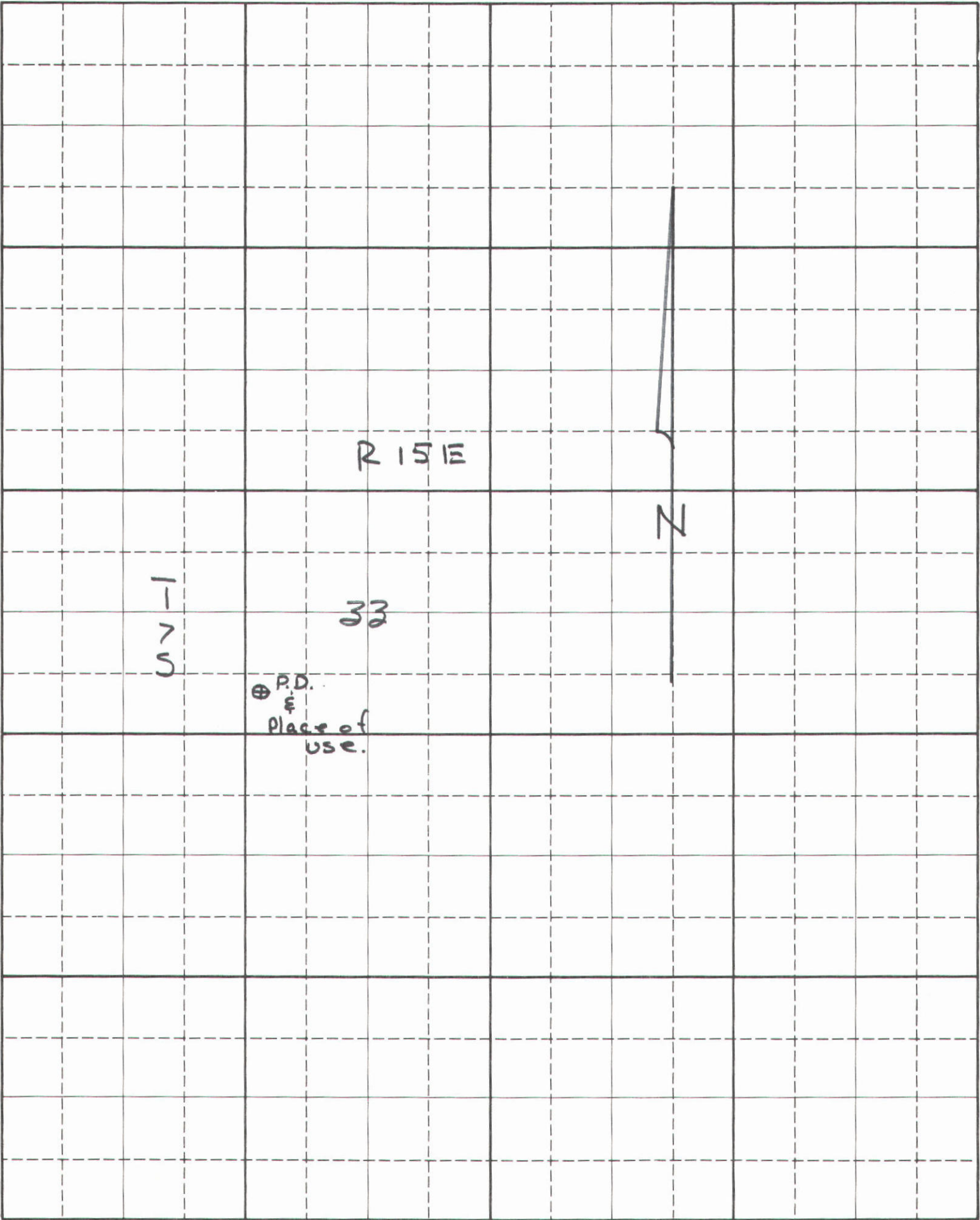


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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.

Reedy To Pour Div of MonrDC.
(Applicant) *Marvin S. Hays Div. Vice Pres.*

Affidavit of Publication

State of Idaho, }
County of Gooding } ss.

Gale Z. Brammer, being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement

was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the

first publication of said advertisement was on the 14 day of February, 19 74, and the date of the last publication was on the 21 day of February, 19 74

Gale Z. Brammer

Subscribed and sworn to before me this 25

day of February, 19 74
(SEAL)

Shirley Comand
NOTARY PUBLIC

GOODING COUNTY LEADER Gooding, Idaho 83330 COST OF PUBLICATION

Number of Lines in Notice 37
Number of Insertions 2
37 Lines at 21¢ 7.77
37 Lines at 15¢ 5.55
TOTAL COST 13.32

COPY OF NOTICE

Title of Notice

Notice of Application

Title of Notice

#36-7440

Plaintiff Attorney

Defendant

Plaintiff

State of Idaho Department
of Water Administration
1040 Blue Lakes Boulevard N.
Twin Falls, Idaho 83301

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Ready to Pour Concrete, Division of Monroc P. O. Box 274, Twin Falls, Idaho has on 2-6-74 submitted Application No. 36-7440 for a permit to appropriate .22 cubic feet per second of water from groundwater by means of well and pump within the Lot 15, Blk. 146, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, T 7S, R 15E, B.M., Wendell Townsite, Gooding County to be used from Jan. 1 to Dec. 31 for industrial use within the Lot 15, Blk 146, Wendell Townsite, Sec. 33, T 7S, R 15E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 on or before March 4, 1974.

R. KEITH HIGGINSON
Director

Pub. 2-14,21

No 2166

36 7410

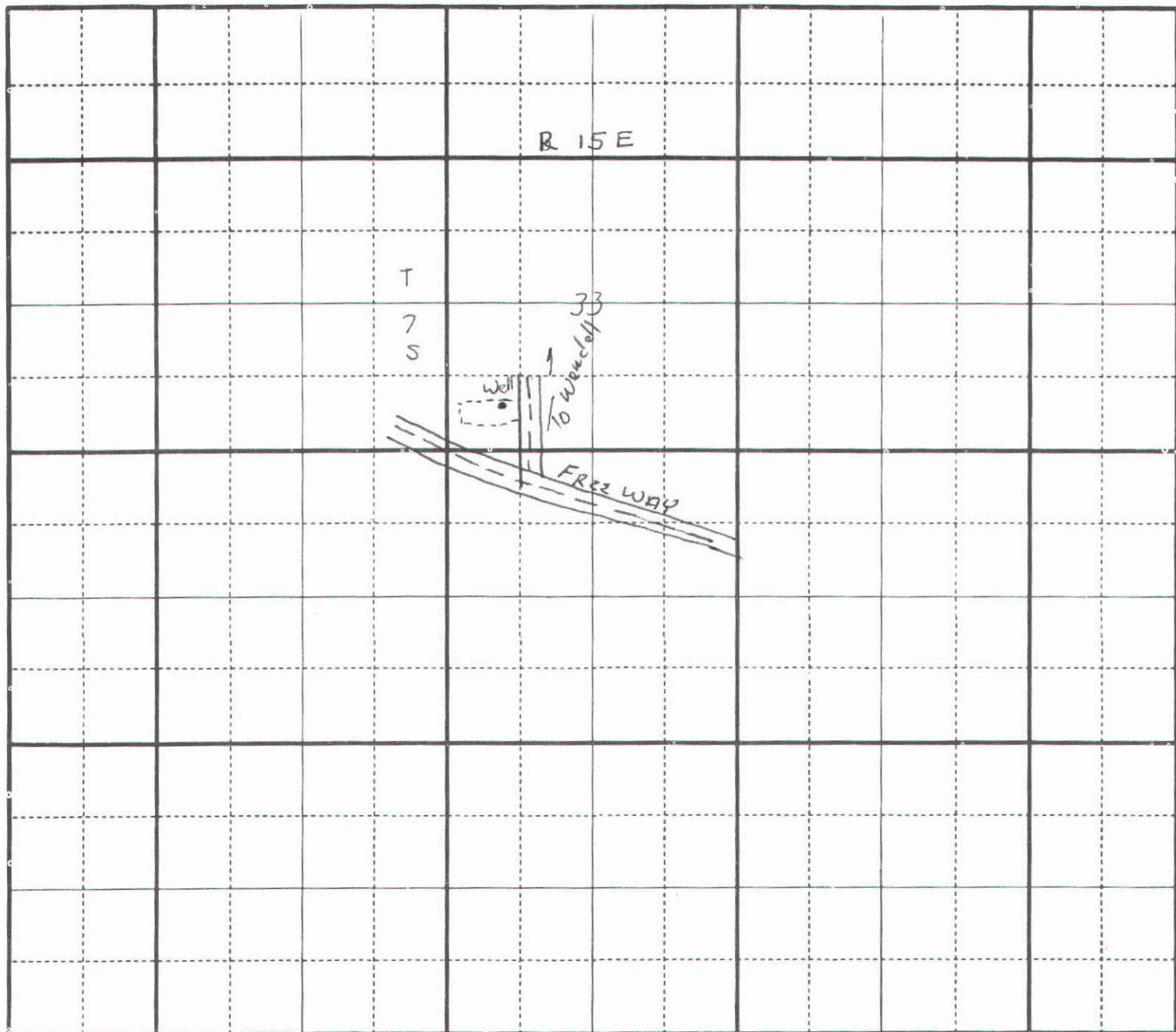


Diagram of System

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 36-7440 Priority February 6, 1974 Amount .22 cfs

THIS IS TO CERTIFY, that READY TO POUR CONCRETE, DIVISION OF MONROC
of Twin Falls, Idaho, has complied with the terms and conditions of Permit
No. 36-7440 issued pursuant to Application for Permit dated February 6, 1974,
and has submitted proof to the Department of Water Resources on January 3, 1979,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of .22 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Industrial</u>	from <u>January 1</u> to <u>December 31</u> at <u>.22</u> cfs and <u>53.1</u> acre feet		
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than .22 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
53.1 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, Twp. 7S,
Rge. 15E, B.M. in the County of Gooding

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7S	15E	33											X						

Total number of acres irrigated _____

Point of diversion and place of use known as Lot 15, Block 146, Wendell Townsite.
Industrial use for mixing concrete and washing rock.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 26 day of
February, 19 81.

Director

Identification No. _____

Application No. 36-7440

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

To Appropriates the Public Waters of the State of Idaho **APPROVED**
(TYPE OR PRINT IN INK)

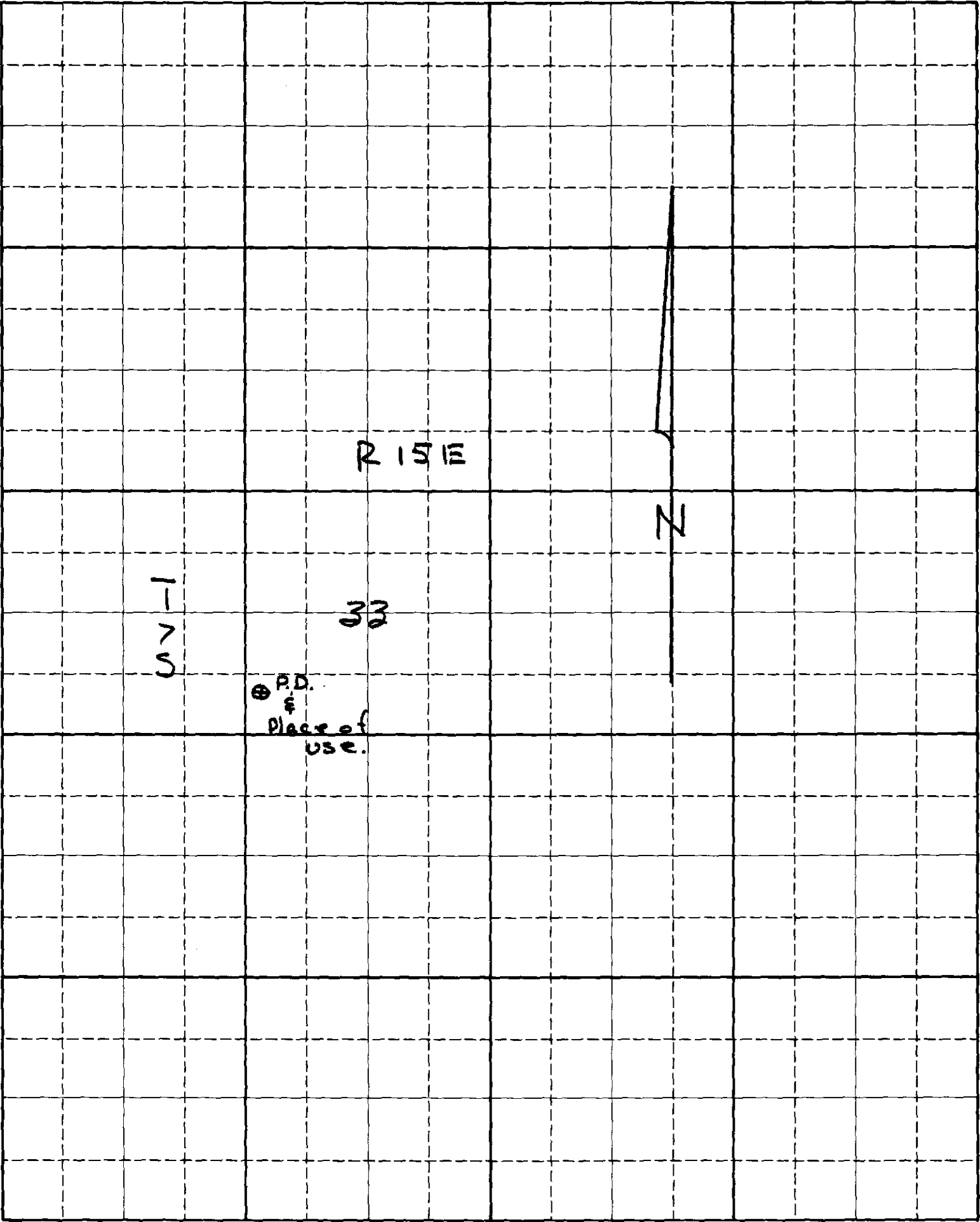
1. Name of applicant Ready to Pour Concrete, Division of Monroc
post office address P.O. Box 274, Twin Falls, Idaho
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is Lot 15, Block 146, City of Wendell, Idaho
XXXXXX of Section XXXXX Township
Range _____ B.M. Gooding County; ~~additional points of diversion if any~~
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, T 7S, R 15E, B.M.
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount .22 cfs for industrial purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. .22 cfs cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well and pump

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo., Day) (Mo., Day)
c. Proposed well diameter is 6 inches; proposed depth of well is 150 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 9,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: Lot 15, Blk 146, Wendell Townsite
XXXXXX of Section XXXXX Township
Sec. 33, T 7S, R 15E, B.M.
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.
- (5) If water is to be used for other purposes describe: processing concrete, gravel

36 7440

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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.

Benny To Pour Div of Monroc.
(Applicant) Marvin S. Hain Div. Vic. Pres.

Proposed Priority 2-6-1974

Received by CLF Date 2-6-74 Time 3:15 PM.
Preliminary check by mb Fee \$35.00
Receipted by ST Date 2-6-74 (11796)
Publication prepared by LT Date 2-7-74
Published in Gooding Co. Leader
Publication dates 2-14 & 2-21-74
Publication approved 2-21-74 Date ✓
Priority reduced to _____ Reason _____

Protests filed by: City of Wendell

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by 5DF

36-7440

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 36-7440, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 19 79.
- c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 26 day of March, 19 74.

R. Karl Hyslop
Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

*Ready to Pour Concrete
Div of Monro*

Item Initial Date

(1) mls 2-7-74

Application No. 36-7440 Name _____

(2) mls 2-7-74

Check:

- ☒ Point of Diversion
- ☒ Quantity of Water and Period of Use
- ☒ Description of Diverting Works
- ☒ Time required for C/W and application of water to B/U
- ☒ Place of Use or Acres Irrigated
- ☒ Map
- ☒ Signature
- ☒ Fee

(3) mls 2-7-74

Send copies to:

- ___ Idaho State Health Department
- ___ Idaho Fish and Game Department
- ___ Bureau of Land Management

(4) _____

- ___ Request Special Use Permit from U.S.F.S.
- ___ Request Easement from B.L.M.
- ___ Request Information from Applicant

(5) mls 2-7-74

In form for advertising _____

(6) mls _____

Affidavit of Publication received 2-27-74

(7) _____

Final date for protests 3-4-74
Protests received: yes _____ no ☒

(8) _____

Date and Place of hearing _____

Decision reached at hearing _____

(9) _____

Located within Water District No. _____

(10) _____

Critical groundwater area: yes _____ no ☒

(11) _____

Groundwater levels:

___ Decline (comment) _____

☒ Stable (comment) _____

___ Increasing (comment) _____

(12) _____

All requested information received from agencies or

applicant yes ☒ no _____

(13) _____

Comments: _____

(14) _____

Action recommended:

☒ Approve Priority 2-6-74

___ Deny Reason for Reduction _____

See attached sheet for conditions of approval

No conditions for approval

(15) _____

District Southern by Bob Hayes

Date 3-4-74 Title Dredging

36 7410

MAR 19 1974

Department of Water Administration

Affidavit of Publication

State of Idaho, }
County of Gooding } ss.

Gale Z. Brammer, being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement

was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 14 day of February, 1974, and the date of the last publication was on the 21 day of February, 1974

Gale Z. Brammer

Subscribed and sworn to before me this 25

day of February, 1974
(SEAL)

Shirley Commons
NOTARY PUBLIC

GOODING COUNTY LEADER
Gooding, Idaho 83330
COST OF PUBLICATION

Number of Lines in Notice 37
Number of Insertions 2
37 Lines at 21¢ 7.77
37 Lines at 15¢ 5.55
TOTAL COST 13.32

COPY OF NOTICE

Title of Notice

Notice of Application

Title of Notice

#36-7440

Plaintiff Attorney

Defendant

Plaintiff

State of Idaho Department
of Water Administration
1040 Blue Lakes Boulevard N.
Twin Falls, Idaho 83301

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Ready to Pour Concrete, Division of Monroe P. O. Box 274, Twin Falls, Idaho has on 2-6-74 submitted Application No. 36-7440 for a permit to appropriate 22 cubic feet per second of water from groundwater by means of well and pump within the Lot 15, Blk. 146, SW 1/4 Sec. 33, T 7S, R 15E, B.M., Wendell Townsite, Gooding County to be used from Jan. 1 to Dec. 31 for industrial use within the Lot 15, Blk 146, Wendell Townsite, Sec. 33, T 7S, R 15E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 on or before March 4, 1974.

R. KEITH HIGGINSON
Director

Pub. 2-14-21

No 2166

36 7410

Affidavit of Publication

State of Idaho, }
County of Gooding } ss.

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was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the

first publication of said advertisement was on the 14 day of February, 19 74, and the date of the last publication was on the 21 day of February, 19 74

Gale Z. Brammer

Subscribed and sworn to before me this 25

day of February, 19 74
(SEAL)

Shirley Commons
NOTARY PUBLIC

GOODING COUNTY LEADER Gooding, Idaho 83330 COST OF PUBLICATION

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36 7410

RECEIVED

FEB 27 1974

Department of Water Administration
Southern District Office

PUBLICATION RATES:

Idaho Code, (Rev. Statutes) 1971
7 pt. per line, straight.....21c
7 pt. per line, tabular.....31c
7 pt. per line, successive
insertions.....15c
6 pt. per line, straight.....21c
6 pt. per line, tabular.....31c
6 pt. per line, successive
insertions.....15c

No 2166

36 7410



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

August 20, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CRAIG HOBDEY
PO BOX 176
GOODING ID 83330

RECEIVED

AUG 25 1998

Department of Water Resources
Southern Region

RE: City of Wendell

Dear Mr. Hobdey:

Thank you for your call regarding the City of Wendell's Motion to File a Late Notice of Claim for right no. 36-07440 in the Snake River Basin Adjudication. I have reviewed a copy of the Motion, the original license, and the proposed claim. Unfortunately, this right alone is not sufficient to cover the city's present or anticipated use of the well, and the City will still be required to take some water right action.

License 36-07440 was issued to Ready to Pour Concrete for 0.22 cfs (99 gpm) and 53.10 acre-feet per annum for industrial use. Although there is no mention of the actual pump horsepower, recent file photos indicate that the well has been refitted with a turbine pump capable of diverting many times the licensed diversion rate of 0.22 cfs. Lapsed permit 36-08421 was made for 3.0 cfs, and I suspect the system is designed to deliver about that quantity. Total diversions made by the City of Wendell in 1996, per your report, were 129 acre-feet, a little more than twice the volume limitation.

36-07440
The licensed nature of use of the Monroc right is also in conflict with the present use of the well for municipal purposes. If included in SRBA proceedings, the right will most likely be decreed as an industrial use right because the court will not recognize a change in use which did not occur prior to November 1987. Therefore, a transfer will have to be filed, after the right is decreed, to change the nature of use under the right to municipal. Municipal use under 36-07440 would be restricted to the above rate of flow and volume limits after the change.

The time required to process the Motion to File a Late Claim, obtain a decree entry and then process a change in nature of use will be considerable, possibly up to one year or longer from your filing date in June 1998. The outcome of either is uncertain, and the shortfall in water right coverage even with right no. 36-07440 has already been documented.

August 20, 1998

Page 2

The City of Wendell is still required to file with IDWR either a request for reinstatement of permit 36-08421 or a new application for permit in order to waive the pending Notice of Violation.

For your convenience, I have included both Proof of Beneficial Use and Application for Permit forms. If the City believes that there is enough evidence to reinstate lapsed permit 36-08421, please submit Proof of Beneficial Use, a licensing fee, and supporting information as required in I.C. §42-218a(2). Municipal use of the well must be documented prior to April 1, 1992.

If the permit may not be reinstated, please complete and return an application for permit and filing fee for a new water right.

Please return one of the above filings by the original due date of September 11, 1998.

Thank you for your cooperation. Please feel free to contact me at 208-327-5406 if you would like further assistance.

Sincerely,



Cindy Hodges
Sr. Water Resource Agent
Water Distribution Section

cc: IDWR Southern Region Office
Raquel Braga, City of Wendell



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

February 26, 1981

Ready to Pour Concrete, Div. of Monroc
P.O. Box 274
Twin Falls, Idaho 83301

Dear Sirs,

RE: License No. 36-7440

Enclosed is a copy of the Water Right License issued on the above
referenced Permit.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:mr

Enclosure

MICROFILMED

Volume Calculations

$$.22 \text{ ds} \times 448.8 = 98.7 \text{ gpm}$$

$$98.7 \text{ gpm} \times 60 \text{ min} = 5922 \text{ gph}$$

$$5922 \text{ gph} \times 8 \text{ hrs/day} = 47376 \text{ gp8hr/day}$$

$$47376 \text{ gp8hr/day} \times 365 \text{ day/yr} = 17,292,240 \text{ gp8hr/day/yr}$$

$$\frac{17,292,240}{325,900 \text{ gal in AF}} = 53.1 \text{ AF/yr}$$

RH 2/19/81

DATE OF EXAM 2-28-79

ACREAGE

Found ✓
Recommended ✓

Irrigation Requirement ✓ Ac Ft/Ac

USE

Irrigation Q= c.f.s. V= AF/Ann. from to
Domestic Q= c.f.s. V= AF/Ann. from to
Livestock Q= c.f.s. V= AF/Ann. from to
INDUSTIAL Q=0.22 C.F.S. V= 53.0 AF/ANN from JAN 1 to Dec.31
* 53.1

Is water co-mingled? yes no ✓

Name source:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Exchange? yes no ✓

Name source exchanged with:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Point of injection:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Point of exchange:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County

Total Q measured Method of measurement

Total Q recommended 0.22 C.F.S. Meter No. Type Condition

Total V recommended 53.0 AC FT/ANN.

Recommended Amendments:

P.D.
Place of Use
Other
None

MEASUREMENT CALCULATION:

ALLOWED 0.22 C.F.S. AMOUNT APPLIED FOR. ✓
VOLUME: 53.0 AC FT/ANN. (365 DAYS) (0.22 C.F.S.) (1.98 AC FT) (8 hrs)
* 53.1 see attached calculations C.F.S. (24 hrs)

SYSTEM DESCRIPTION:

40 HP. GE. MOTOR VERTICAL TURBINE PUMP.

REMARKS:

CAROL DOWD MANAGER OF READY TO POUR CONCRETE
WAS PRESENT DURING THE EXAM.
WATER IS USED FOR MIXING CONCRETE AND WASHING ROCK.

Examiner's Signature Gary Jundenburg Date 2/1/79
Checked by Alb. A. Merritt Date 11/14/79
Approved by Robyn Date 2/19/81

No Overlapping Rights

MICROFILMED

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

1. Name of permit holder Ready to Pour Concrete, Div. of Monroe
Post office address P.O. Box 274, Swain Falls Phone _____
Person to contact Carol Downs Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 0.22 c.f.s. for industrial
 AF/Annum (nature of use)

Period of Use: from 1-1 to 12-31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 0.22 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 45 N/S, Range 15E E/W, B.M., Section 33, Subdivision SW 1/4 SW 1/4 Gooding
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
County

Other Points of Diversions: _____

Description of diverting works: 40 HP pump

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

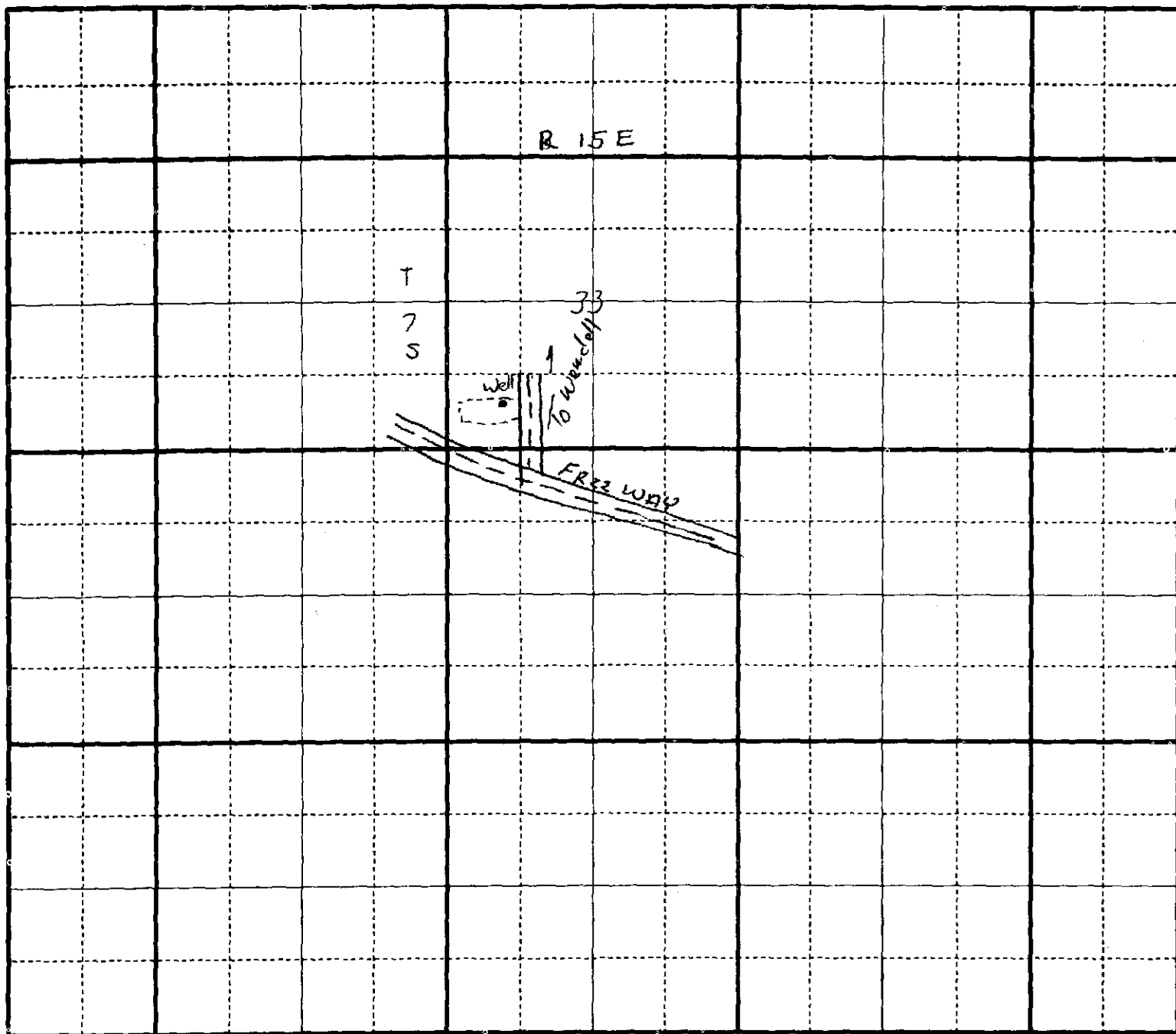


Diagram of System



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

January 3, 1979

Ready to Pour Concrete
Division of Monroc
P. O. Box 274
Twin Falls, ID 83301

Gentlemen:

Re: Permit No. 36-7440

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our regional office in Twin Falls.

Sincerely,

RITA FLECK
Water Rights

UNRECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF APPLICATION
OF WATER TO BENEFICIAL USE

Department of Water Resources
Southern District Office

1. a) Name of permit holder MONROC
- b) Post office address P.O. Box 274 TWIN FALLS, IDAHO
2. Permit number 36-2440
3. Date of priority that you are prepared to establish 2-6-74
4. a) Source from which water was appropriated GROUND WATER
- b) Location of the point of diversion: LOT 15 BLOCK 146, CITY OF WENDELL, IDA.
1/4 Section
- Township _____, Range _____ Boise Meridian. Other points of diversion: _____
SW 1/4 SW 1/4, Sec. 33, T 2 S, R 15 E, B. M.
5. a) The amount of water and use to which the water has been applied:
- | | | | |
|---|--------------------------------|-------------|-------------|
| Amount <u>.22 CFS</u> for <u>Industrial</u> purposes from <u>Jan 1</u> to <u>Dec 31</u> incl. | (cfs &/or acre-feet per annum) | (month-day) | (month-day) |
| Amount _____ for _____ purposes from _____ to _____ incl. | (cfs &/or acre-feet per annum) | (month-day) | (month-day) |
| Amount _____ for _____ purposes from _____ to _____ incl. | (cfs &/or acre-feet per annum) | (month-day) | (month-day) |
- b) Total amount appropriated .22 CFS cfs and/or acre-feet per annum.
- c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement:
Measurement has not been taken
Present pump is designed for 500 gal per min.
6. If the means of diversion and conveyance are owned by someone other than the permit holder:
- a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:
- _____
- _____
- _____
- b) Describe the agreement of understanding by which you take water from the works: _____
- _____
- _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch):
40 ~~HP~~ horsepower pump delivering water
to egg plant and ready mix plant
- b) Describe the provision for making a measurement which you have at your point of diversion: (i.e., installed measuring device, access port, other)
Permit does not require measuring device



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

CERTIFIED MAIL

100524

December 29, 1978

Re: Permit No. 36-7440

Ready to Pour Concrete
Division of Monroc
P. O. Box 274
Twin Falls, ID 83301

Gentlemen:

One of the conditions of approval of your water Permit No. 36-7440 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before March 1, 1979. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect.

RITA FLECK
Water Rights

Encl: Proof affidavit

RECEIVED
DEC 31 1978
STATE OF IDAHO

March 28, 1974

Re: Permit No. 36-7440

Ready to Pour Concrete, Division of Monroc
P. O. Box 274
Twin Falls, Idaho 83301

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 36-7440 . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

Enclosure

36 7440
365 74400

MICROFILMED

March 6, 1974

RE: Application No. 36-7440 - Ready to Pour Concrete

Mr. Cecil D. Hobdey
James & Hobdey
P.O. Box 176
Gooding, Idaho 83330

Dear Mr. Hobdey:

We are in receipt of the protest submitted on behalf of the City of Wendell of Ready to Pour Concrete's application for a permit 36-7440. Items which the Department of Water Administration can consider in approving or denying an application for permit are detailed in Section 42-203 of the Idaho Code. Those items are:

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

In reviewing the City of Wendell's protest, we do not find any reference which would fall under any of these four items. The Department of Water Administration will allow the City of Wendell until March 14th to enumerate objections based upon any of the four above listed reasons. If we are not in receipt of such a protest by the 14th of March, we will proceed with approving the application.

If you have any further questions, please don't hesitate to call on us.

Very truly yours,

Bob Haynes
Southern District Engineer

36 7410

BH:lt

MICROFILMED

BC:Boise

RECEIVED

MAR 4 1974

Department of Water Administration
Boise, Idaho 83725

IDAHO DEPARTMENT OF WATER ADMINISTRATION
STATE OF IDAHO

IN THE MATTER OF THE APPLICATION)
OF READY-TO-POUR CONCRETE, DIVISION (Application No.
OF MONROC,) 36-7440
)
(PROTEST OF THE CITY OF
) WENDELL, IDAHO
)

Comes now the City of Wendell, Idaho, a Municipal Corporation, Gooding County, Idaho and files its protest against the granting of the above captioned permit.

This protest is made on the grounds and for the reason that ^{the} City of Wendell, Idaho on the 28th day of February, 1974 enacted an ordinance providing that all persons, firms, corporations or entities using water for domestic or industrial purposes within the City of Wendell, Idaho shall be required to obtain the same from the Municipal Waterworks System of the City of Wendell, Idaho.

This protest is further made upon the grounds and for the reason that it is in the best interests of the inhabitants of the City of Wendell, Idaho and the preservation of the public health thereof and in the interests of general welfare that a single source of water supply for domestic and industrial purposes be maintained and operated within the limits of the City of Wendell, Idaho.

This protest is further based upon the grounds and reason that the installation of wells by individuals within the City limits of Wendell, Idaho for domestic and individual purposes will result in chaotic conditions and prevent the orderly

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MICROFILMED

36 7440

development of the Municipal Waterworks and sewerage discharge
facilities of the City of Wendell, Idaho.

Dated this 2 day of March, 1974.

CITY OF WENDELL, IDAHO

By: JAMES & HOBDEY

By:

Paul R. Hobdey
Its attorneys
Box 176, Gooding, Idaho
83330

March 6, 1974

RE: Application No. 36-7440 - Ready to Pour Concrete

Mr. Cecil D. Hobdey
James & Hobdey
P.O. Box 176
Gooding, Idaho 83330

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Very truly yours,

Bob Haynes
Southern District Engineer

BH:lt

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36 7410

Bo:Boise

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FEB 2 1974

Approved by the Board of
Water Control

IDAHO DEPARTMENT OF WATER ADMINISTRATION
STATE OF IDAHO

IN THE MATTER OF THE APPLICATION)
OF READY-TO-POUR CONCRETE, DIVISION) (Application No.
OF MONROC,) (36-7440
)
) (PROTEST OF THE CITY OF
) (WENDELL, IDAHO
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This protest is further based upon the grounds and reason that the installation of wells by individuals within the City limits of Wendell, Idaho for domestic and individual purposes will result in chaotic conditions and prevent the orderly

development of the Municipal Waterworks and sewerage discharge facilities of the City of Wendell, Idaho.

Dated this 2 day of March, 1974.

CITY OF WENDELL, IDAHO

By: JAMES & HOBDEY

By:

Basil D. Hobdey
Its attorneys
Box 176, Gooding, Idaho
83330

IDAHO DEPARTMENT OF WATER ADMINISTRATION
STATE OF IDAHO

IN THE MATTER OF THE APPLICATION)
OF READY-TO-POUR CONCRETE, DIVISION) Application No.
OF MONROC,) 36-7440
)
) PROTEST OF THE CITY OF
) WENDELL, IDAHO
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development of the Municipal Waterworks and sewerage discharge facilities of the City of Wendell, Idaho.

Dated this 2 day of March, 1974.

CITY OF WENDELL, IDAHO

By: JAMES & HOBDEY

By: _____
Its attorneys
Box 176, Gooding, Idaho
83330

ANDREW F. JAMES
CECIL D. HOBDEY
JOHN F. VARIN

LAW OFFICES
JAMES & HOBDEY
125 FIFTH AVENUE WEST
P. O. BOX 176
GOODING, IDAHO 83330

TELEPHONE 934-4429
AREA CODE 208

March 2, 1974

Idaho Department of
Water Administration
1041 Blue Lakes Blvd., North
Twin Falls, Idaho 83301

Re: Application # 36-7440

Gentlemen:

We inclose herewith, on behalf of the City of Wendell,
Idaho, Protest in the above captioned application.

Sincerely yours

Cecil D. Hobdey
Cecil D. Hobdey

CDH:fm
Encl.

MICROFILMED

36 7440

February 7, 1974

RE: Application No. 36-7410 - Ready to Pour Concrete

Gooding County Leader
Box 56
Gooding, Idaho 83330

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

36 7410

Bob Haynes
District Engineer
Southern District

Bill submitted 2-23-74 - LT

Need Galley Proof

**NOTICE OF
APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Ready to Pour Concrete, Division of Monroe P. O. Box 274, Twin Falls, Idaho has on 2-6-74 submitted Application No. 36-7440 for a permit to appropriate .22 cubic feet per second of water from groundwater by means of well and pump within the Lot 15, Blk. 146, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, T 7S, R 15E, B.M., Wendell Townsite, Gooding County to be used from Jan. 1 to Dec. 31 for industrial use within the Lot 15, Blk 146, Wendell Townsite, Sec. 33, T 7S, R 15E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 on or before March 4, 1974.

R. KEITH HIGGINSON
Director

Pub. 2-14,21

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Ready to Pour Concrete, Division of Monroc
P.O. Box 274, Twin Falls, Idaho
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for a permit to appropriate .22 cubic feet per second ~~xxxxxx~~
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to be used from Jan. 1 to Dec. 31
for industrial use
within the Lot 15, Blk 146, Wendell Townsite, Sec. 33, T 7S, R 15E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301 on or before March 4, 1974.

36 7440

R. KEITH HIGGINSON

Director

Published in the Gooding County Leader
on Feb. 14 and Feb. 21, 1974

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