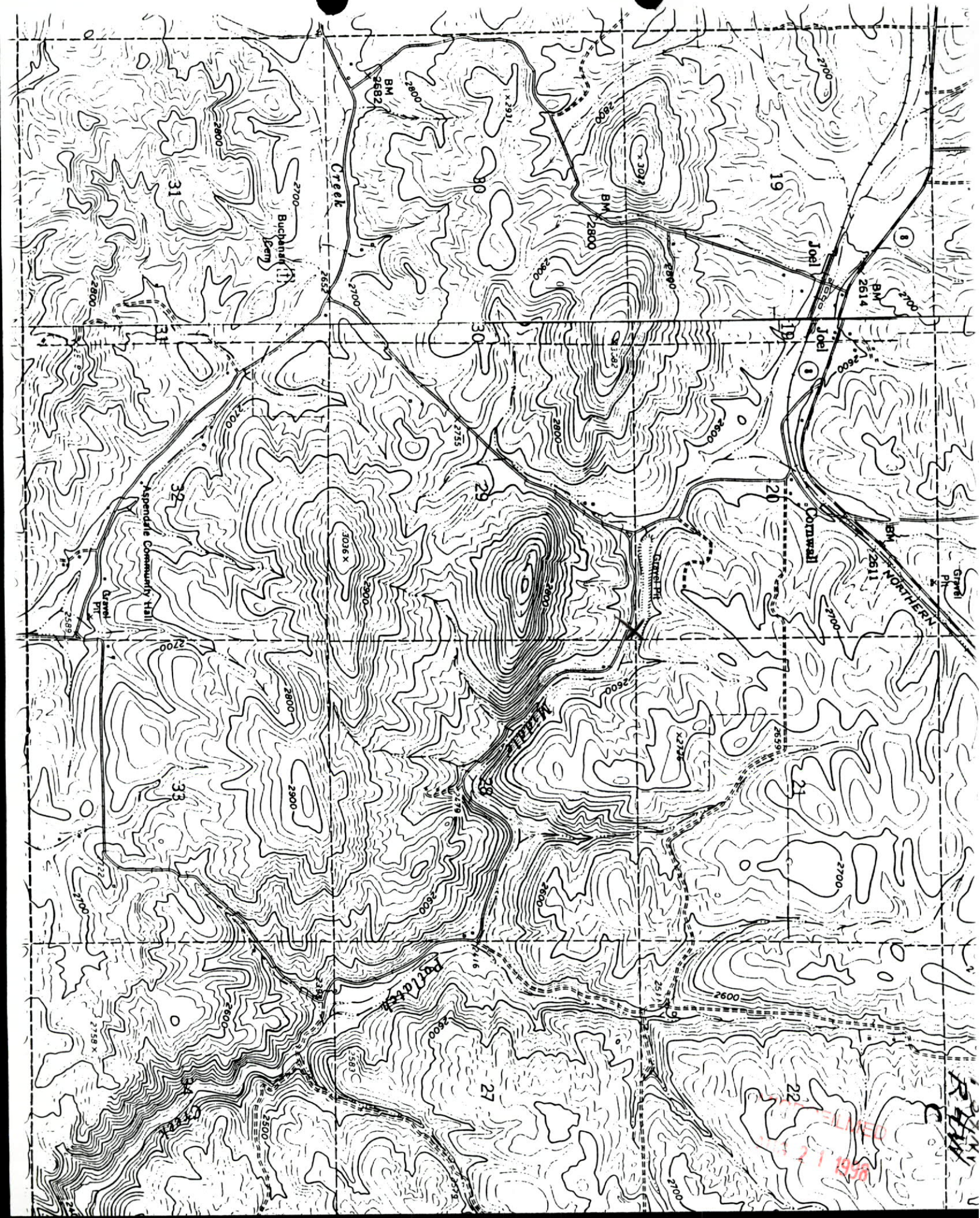


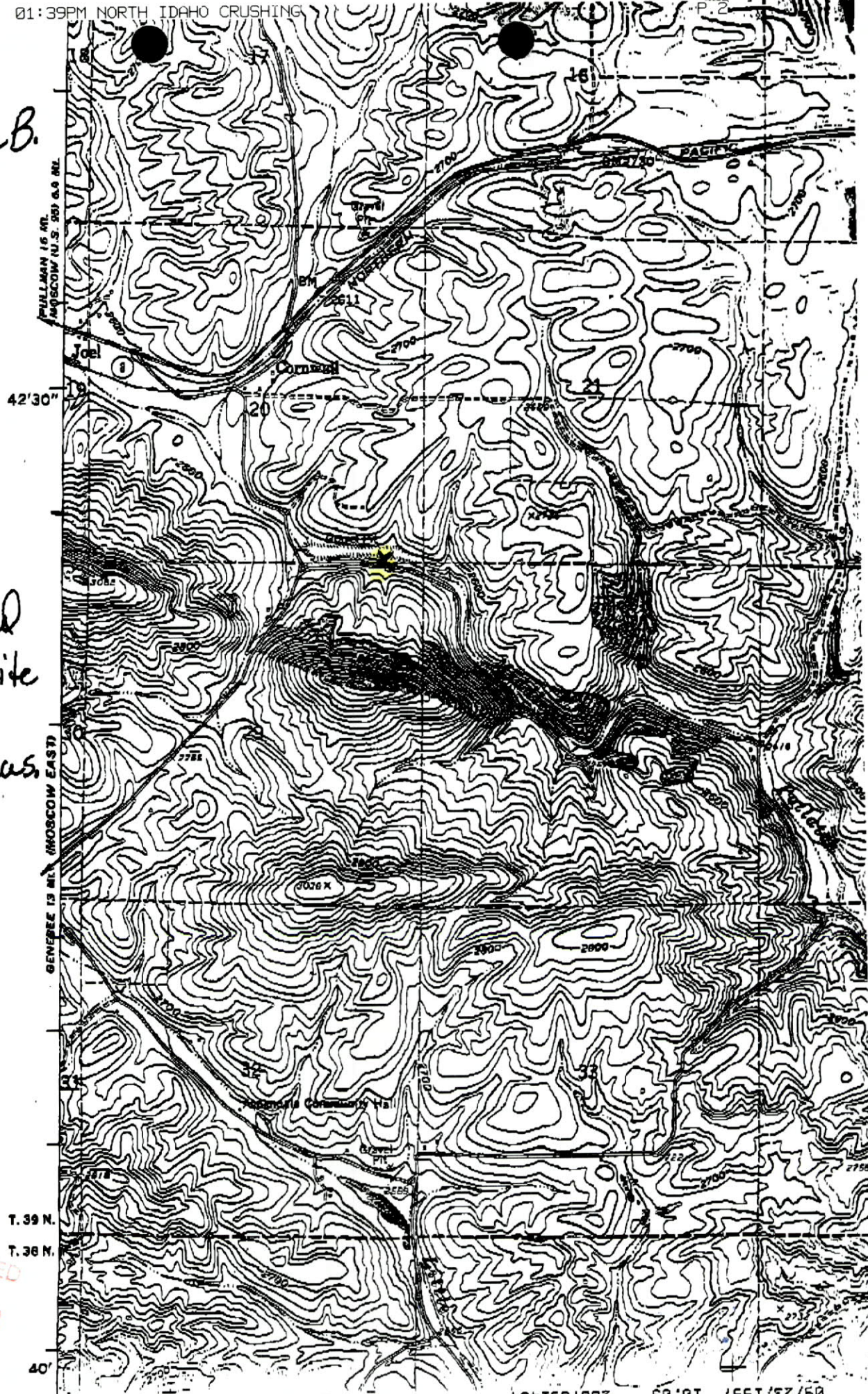
LOCATION OF PD FOR 86-07360



Attn: Alan B.

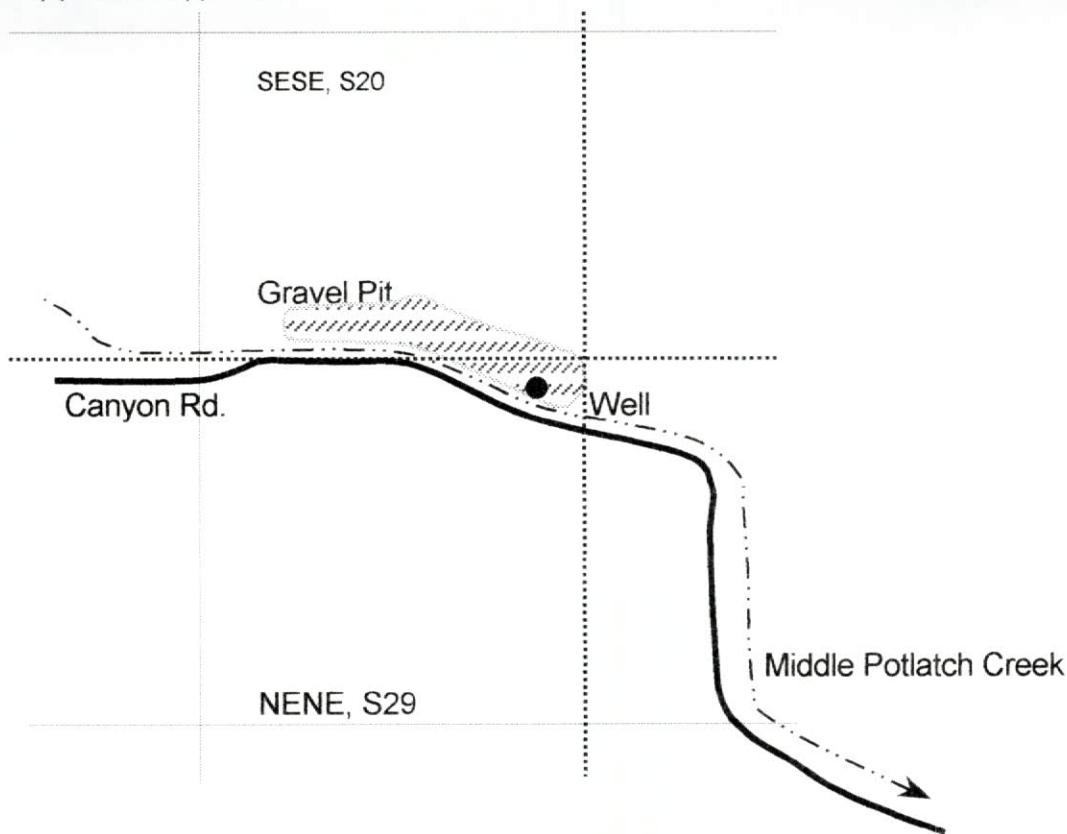
X new well

Water is stored
in bulk on-site
N used in
stock pile areas.



MICROFILMED
AUG 21 1998

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = Not to scale

X Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

Aerial Photo Attached (required for irrigation of 10+ acres)

X Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	(Submersible)	1	Unknown		

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

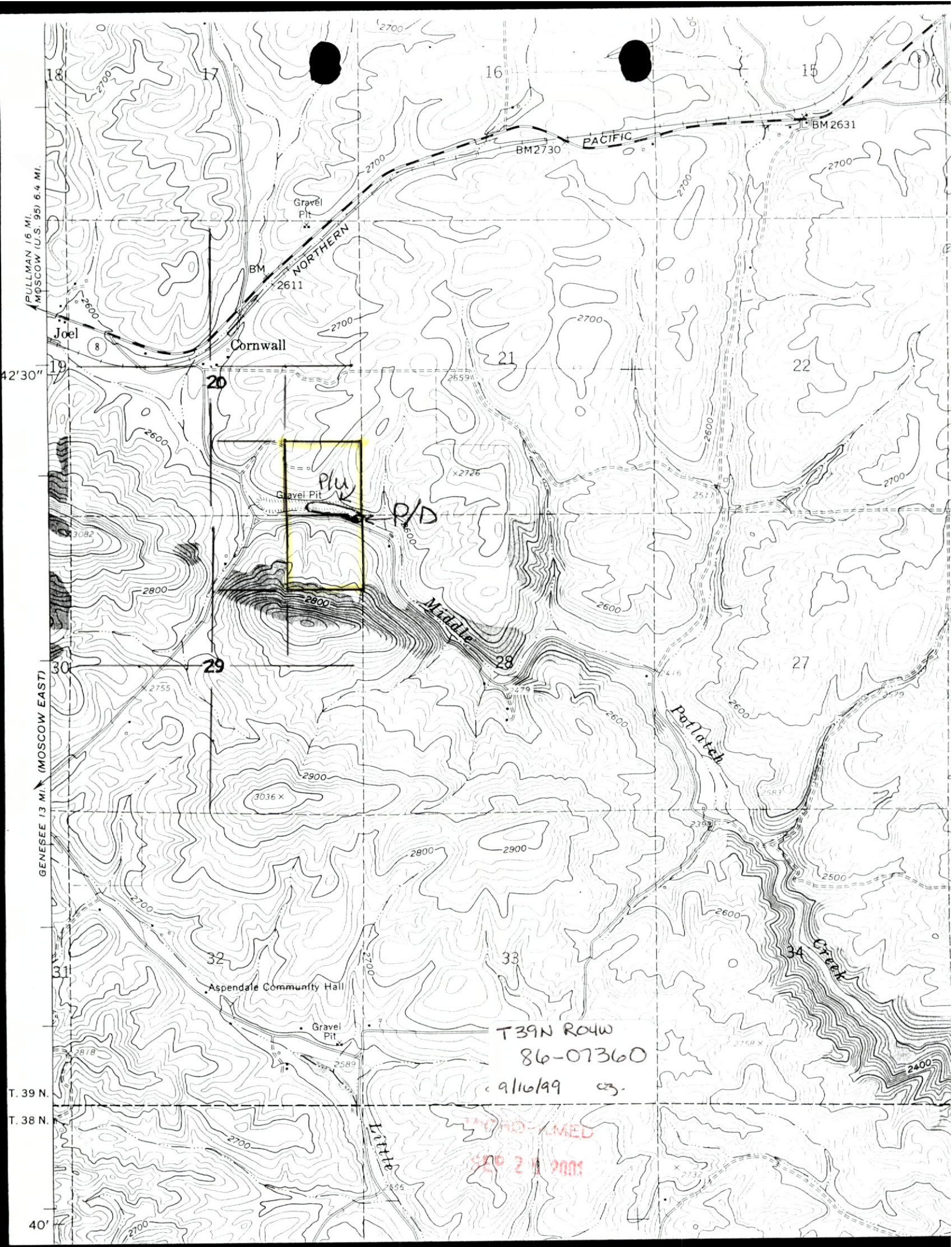
1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Stopwatch/Bucket					5 gal	8/2/1999

2. Measurements:

5 gallons in 18 seconds, 17 seconds, and 18 seconds.

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PULLMAN 15 MI.
MOSCOW (U.S. 95) 6.4 MI.

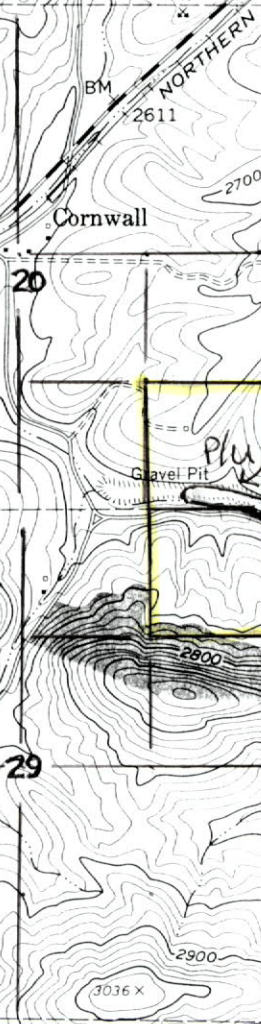
42'30"

GENESEE 13 MI. (MOSCOW EAST)

T. 39 N.

T. 38 N.

40'



T39N R04W
86-07360
9/16/99 cz.

UNRECORDED
20 21 2001

PERMIT NO.: 86-07360

PHOTOS:



PERMIT NO.: 86-07360

PHOTOS:



MICROFILMED

SEP 25 2001

Affidavit of Publication

STATE OF IDAHO
County of Latah

ss.

Mary Shiel
Legal Clerk

being first duly sworn, on oath,
deposes and says:

That she is the printer of
Moscow-Pullman Daily News, a
newspaper of general circulation,
printed and published daily except
Sunday at Moscow, Latah County,
Idaho, in compliance with Sections
60-106, 60-107, and 60-108 of the
Idaho Code and the amendments
thereto; that the notice of which the
annexed is a full, true and correct
printed copy was published in the
regular and entire issues of said
newspaper and not in a supplement
thereto, upon the following dates:

Nov. 20, 27, 1997

the same being the dates designated
for the publication of said notice.

M. Shiel

On this 28 day of Nov
in the year of 1997, before me, a Notary

Public, personally appeared _____

Mary Shiel

known or identified to me to be the person whose
name 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.

Ann Marie Gule
Notary Public for Idaho

Residing at Troy, Idaho

My commission expires: 5/11/98

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have
been filed to appropriate the public
waters of the State of Idaho:
86-07360

**NORTH IDAHO CRUSHING
INC**

3753 CANYON ROAD
MOSCOW, ID 83843

Source: GROUNDWATER

Diversion Pt: NENE Sec 29 T
39N R 04W in LATAH County

Use: INDUSTRIAL (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 9/4/1997

In: LATAH County

T39N R04W S20 SESE

S29 NENE

For additional information con-

cerning the property location, call
the Northern Regional Office at
(208) 769-1450.

The permit(s) will be subject to
all prior water rights. Protests must
be filed with the applicant and with
the Director, Dept. of Water
Resources, Northern Region, 1910
Northwest Blvd., Suite 210, Coeur
d'Alene, Idaho 83814, together with
a protest fee of \$25.00 on or before
DECEMBER 8, 1997.

Karl J. Dreher, Director
November 20, 27, 1997

RECEIVED

DEC 01 1997

NORTHERN REGION
IDWR

MICROFILMED

AUG 21 1998

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 86-07360

Priority: October 16, 1997

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 9.7 AF

It is hereby certified that NORTH IDAHO CRUSHING INC
3753 CANYON RD
MOSCOW ID 83843 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated September 04, 1997; and has
submitted Proof of Beneficial Use on February 12, 1999. An examination indicates that the works have
a diversion capacity of 0.04 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
INDUSTRIAL	01/01 to 12/31	0.04 CFS	9.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 29, Twp 39N, Rge 04W, B.M., LATAH County

PLACE OF USE: INDUSTRIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
39N 04W 20																	X
39N 04W 29	X																

CONDITIONS OF APPROVAL

1. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.
2. Industrial use is for a rock crushing operation and irrigation chemical processing.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 23rd day of MAY, 2001.

MICROFILMED

SEP 25 2001

Acting for

KARL J. DRÉHER
Director

IN THE MATTER OF PERMIT NO. 86-07360)
)
IN THE NAME OF NORTH IDAHO CRUSHING)
INC.)
)

**ORDER OF
REINSTATEMENT**

MICROFILMED
JUN 10 1999

PAIDCK. NO. 995914DATE 2/8/99

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 12 1999

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 who has been appointed by the department.

1. Permit No. 86-07360 Telephone No. (208) 882-35732. Name(s) of Permit Holder(s): North Idaho Crushing3. Mailing Address: 3753 Canyon Road Moscow, Id 838434. Source of Water: _____ If **GROUNDWATER** (well), Date Drilled: mo. 8 / yr. 96a. Well Driller: Uhlenkott #125 Drilling Permit Number: 86-96-N-27b. **OPTIONAL:**

Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: Industrial6. Total rate of diversion and/or volume for which proof is submitted: 0.04 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 ☒**Flow Measurement Port:** Is a flow measurement port required?Yes _____ or No ☒

Has the measurement port been installed?

Yes _____ or No ☒8. Fee Enclosed: \$ 100.00 (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: Randy McNeel Telephone Number: (208) 882-3573Address: 3753 Canyon Road Moscow, Id 83843

10. The information given on this form 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.

MICROFILMED

JUN 10 1999

Signature of permit holder: Debbie Powell, Office Manager
(include your title, if on behalf of company or organization)Date: 2/1/99

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 86-07360

Proposed Priority: September 4, 1997 Maximum Diversion Rate: 0.04 CFS

This is to certify, that **NORTH IDAHO CRUSHING INC**
3753 CANYON RD
MOSCOW ID 83843
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	0.04 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: NENE , Sec. 29, Township 39N, Range 04W
LATAH County

PLACE OF USE: INDUSTRIAL

TWN RGE SEC

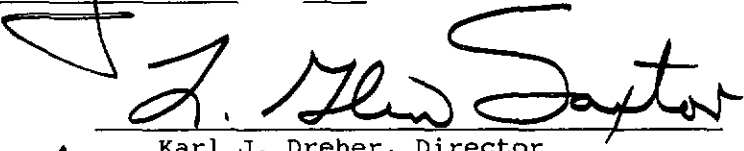
39N 04W 20	SESE	
29	NENE	

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 1999.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
5. Industrial use is for a rock crushing operation and irrigation chemical processing.

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

9th day of January, 1998


for Karl J. Dreher, Director

MICROFILMED
AUG 21 1998

Ident. No. 86-07360

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

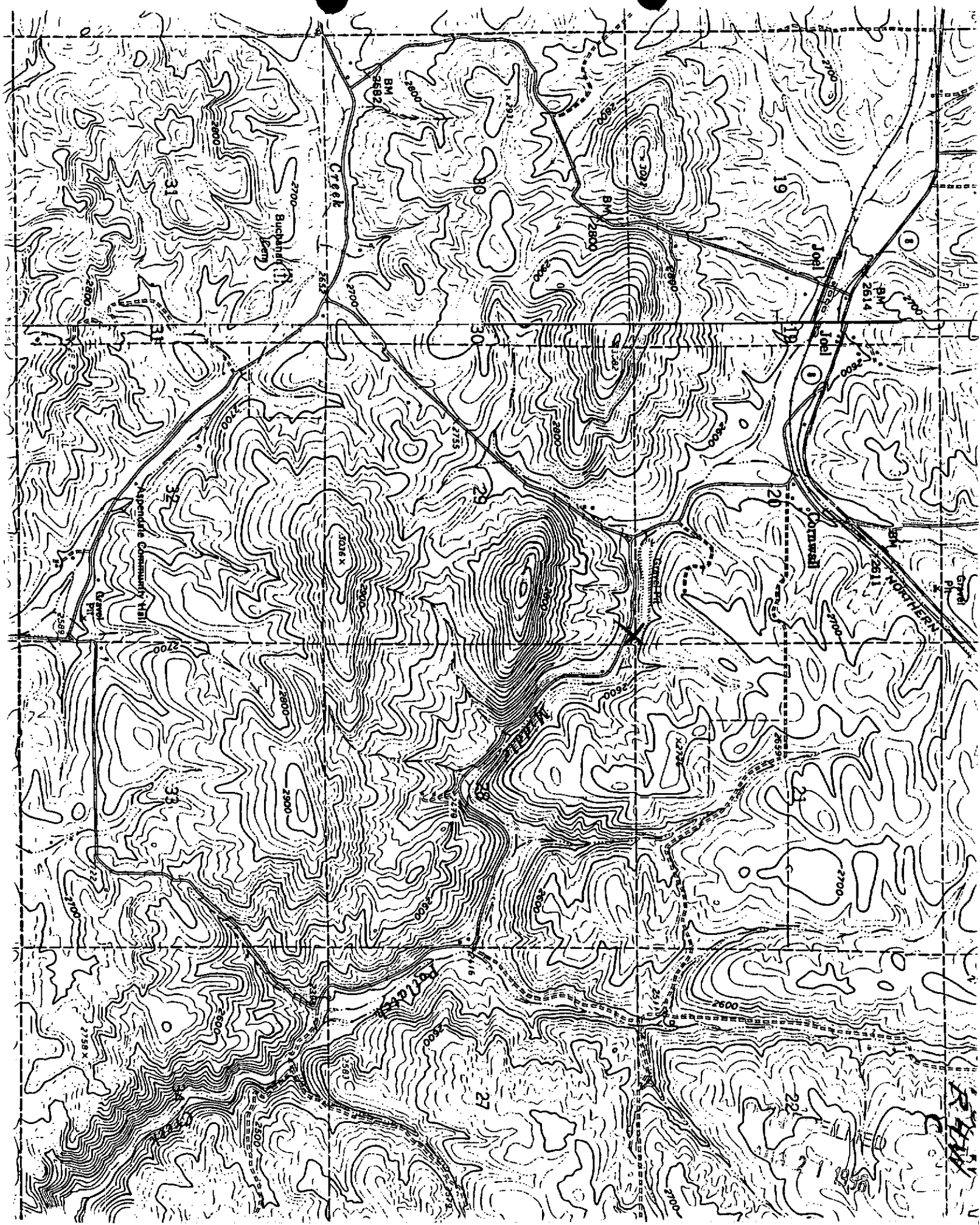
DEC 24 1997

Department of Water Resources
882-3575

1. Name of Applicant NORTH IDAHO CRUSHING INC Phone (208) 882-3573
Post Office address 3753 CANYON ROAD MOSCOW ID 83843
2. Source of water supply GROUNDWATER which is a tributary of N/A
3. Location of point of diversion is 1/4 of NE 1/4 of NE 1/4, Govt. Lot
Sec. 29 Township 39N Range 04W B.M. LATAH County; additional points of diversion if any:
4. Water will be used for the following purposes:
Amount 0.04 for INDUSTRIAL purposes from 01/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.04 and/or (b)
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. WELLS + PUMP
 - b. 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.
 - c. Proposed well diameter is 08 inches; proposed depth of well is 180 (Measurable/^{147'} feet).
 - d. Is ground water with a temperature of greater than 85°F being sought? NO
 - e. If well is already drilled, when? 8/2/96; Drilling firm UHLENKOTT #125 86-96-N-27
Well was drilled for (well owner) NORTH IDAHO CRUSHING INC
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 if KW.
 - b. Stockwatering; list number and kind of livestock.
 - c. Municipal; show name of municipality.
 - d. Domestic; show number of households.
 - e. Other; describe fully. INDUSTRIAL USE IS FOR A ROCK CRUSHING OPERATION AND IRRIGATION
CHEMICAL PROCESSING

MICROFILMED
AUG 21 1998

LOCATION OF PD FOR 86-07360



9. Description of place of use:

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

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

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
39N	04W	29	I																
		20																I	

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? APPLICANT

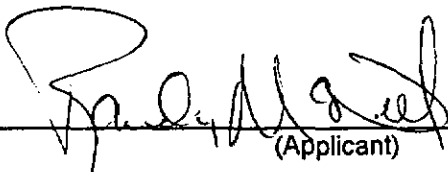
b. Who owns the land to be irrigated or place of use? APPLICANT

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

12. Remarks: _____

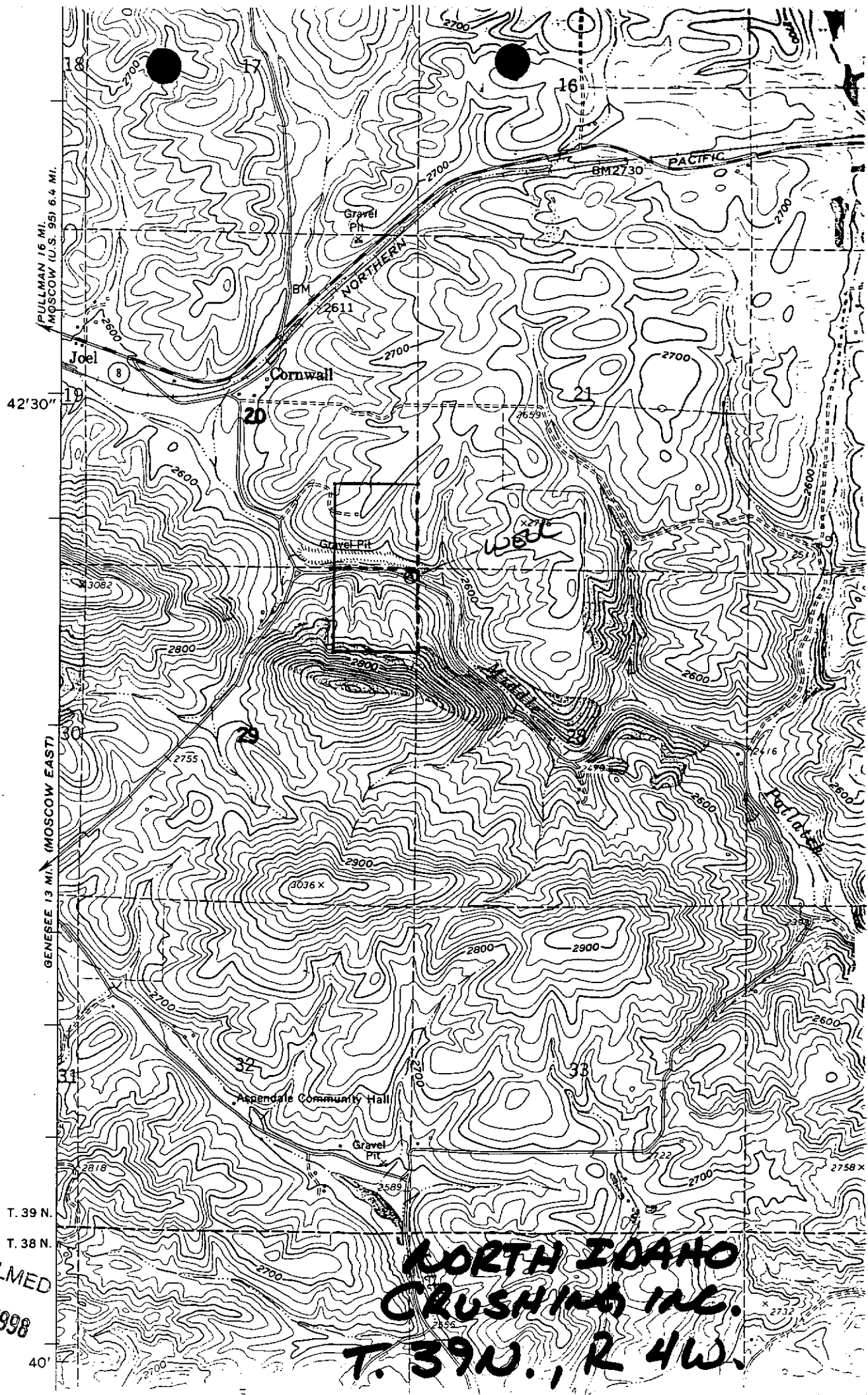
13. MAP OF PROPOSED PROJECT ATTACHED _____ Show clearly the proposed point of diversion, place of use, section number, township and range number.

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.


(Applicant)

Received by db Date 9/4/97 Time 3:14pm Preliminary check by AS
 Fee \$ 50- Received by db # 2011588 Date 9/4/97
 Publication prepared by db Date 11/12/97 Published in Moscow Bulletin
 Publication approved db Date 12/1/97 11/20/97

MICROFILMED
AUG 21 1998



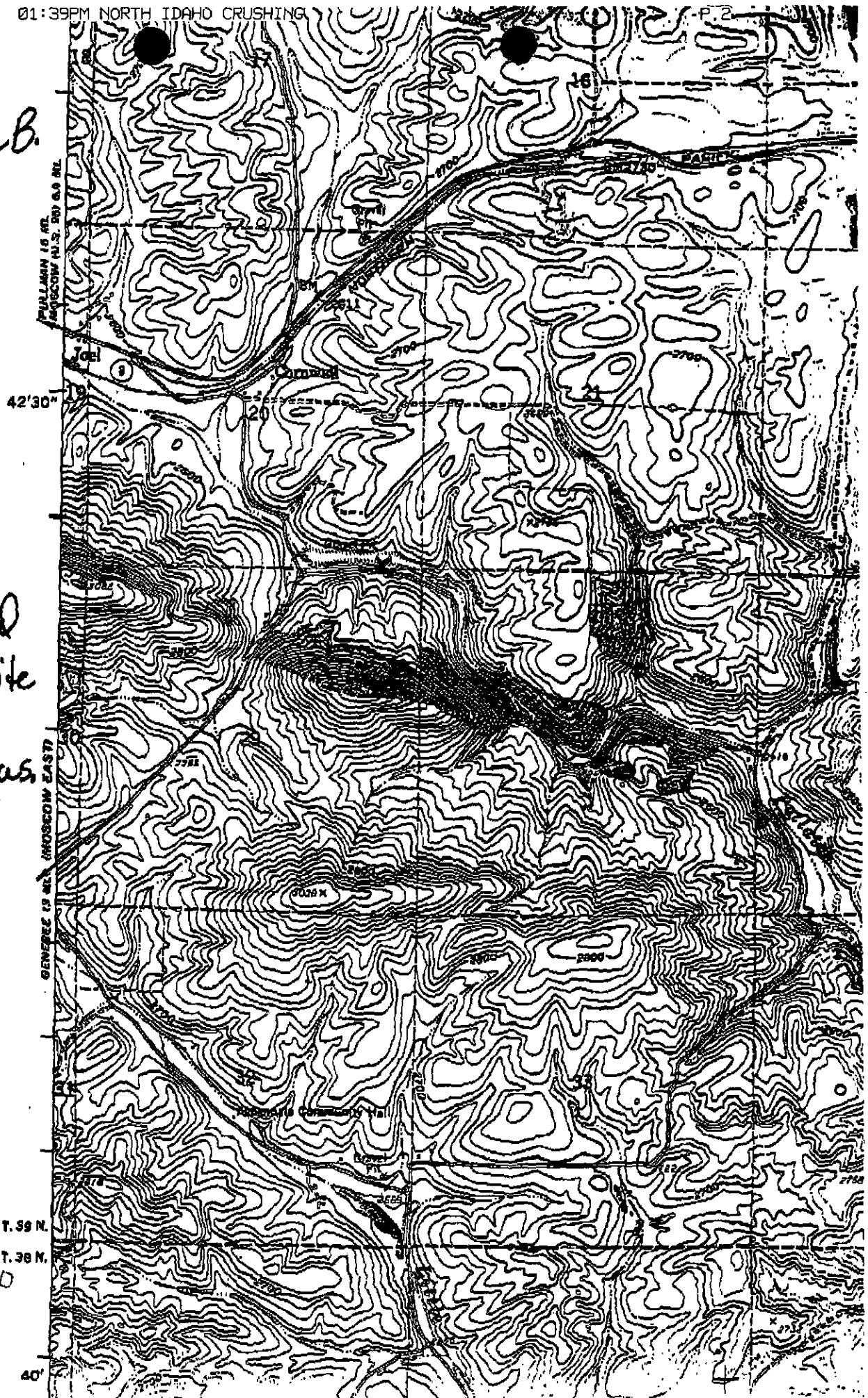
MICROFILMED
AUG 21 1998

**NORTH IDAHO
CRUSHING INC.
T. 39N., R. 4W.**

Attn: Alan B.

X new well

Water is stored
in bulk on-site
or used in
stockpile areas.



MICROFILMED
AUG 21 1998



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 24, 2001

NORTH IDAHO CRUSHING INC
3753 CANYON RD
MOSCOW ID 83843

RE: License No. 86-7360 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

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 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.

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.

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klr

Enclosure(s)

MICROFILMED

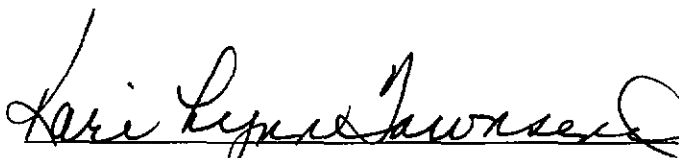
SEP 25 2001

CERTIFICATE OF MAILING

I hereby certify that on May 24, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 86-7360

**NORTH IDAHO CRUSHING INC
3753 CANYON RD
MOSCOW ID 83843**

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

**Kari Lynn Townsend
Secretary**

**MICROFILMED
SEP 25 2001**

**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
SEP 25 2001

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.

LICENSE REVIEW CHECKLIST

Permit No. 86-7360 Date: 5-22-01 Reviewer: Kay Walker

topo K4

Change/OK

Name/Address OK

Source OK

Point of Diversion: OK

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use X OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s): _____
File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.04 cfs
Fee Limit 1.0 cfs
Measured 0.04 cfs
Theoretical 0.04 cfs

Recommended Total Diversion Rate 0.04

Water Uses OK

Change (P46)

Season of Use per new Standards

Irrigation _____ cfs _____ af
Stockwater _____ cfs _____ af
Domestic _____ cfs _____ af
Indus 0.04 cfs 9.7 af
_____ cfs _____ af
Total 0.04 cfs 9.7 af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)
supp. Gw (WB7/065/104)
overlap spec combined rts (W35)
<1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042)
Fire (077)
Water Quality (081/R07)
Payette - (W22/047/27A)
Stockwater for US (R37)

Volume Determination

_____ cfs x 1.9835 x _____ days = _____ af (vs) _____ acres x _____ (FHR) = _____ af

Remarks: _____

Additional Conditions _____ Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
Trust R55 - remove 051)
Non-trust (048/049)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes If yes, explain why below.
no

SRBA Claim? N/A

Adjust memo _____

Amend Letters _____ P87, S06 Second Amendment Notice _____ S06

** Exam says use in SESE, S29 should be SESE, S20 per map attached to exam.*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 14 2000
Department of Water Resources

A. GENERAL INFORMATION

1. Owner: North Idaho Crushing Inc.

Current Address: 3753 Canyon Rd., Moscow ID 83843

2. Accompanied by: Randy McNeel

Address: same as above

Relationship to Permit Holder: President of North Idaho Crushing Inc.

3. Source: Groundwater

Tributary to

Permit No.: 86-07360

Phone No.: (208) 882-3575

EXAM DATE: August 27, 1999

Phone No.: same as above

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None

2. Other water rights with the same point of diversion: None

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
			NE	NE	29	39N	04W	Latah	Permit holder sited location on topo

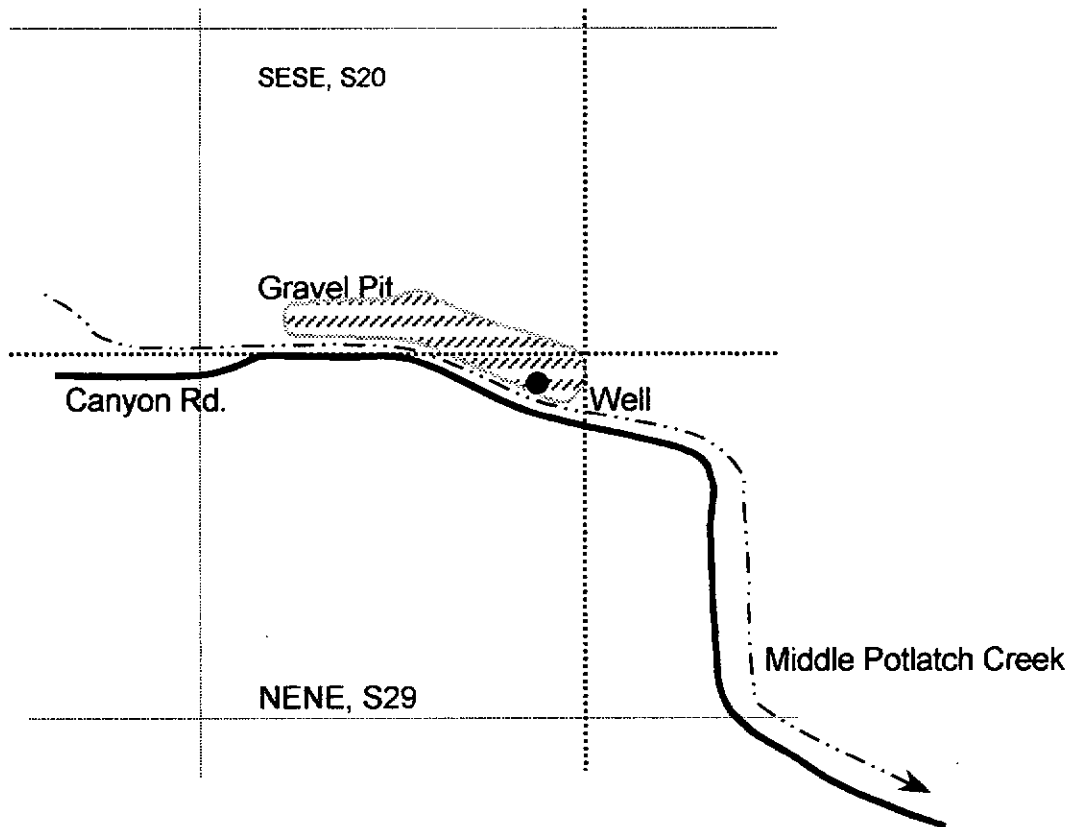
2. Place(s) of Use:

Indicate Method of Determination same as above

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
39N	04W	29																I	
39N	04W	29	I																

MICROFILMED
SEP 25 2001

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = Not to scale

X Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

Aerial Photo Attached (required for irrigation of 10+ acres)

X Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	(Submersible)	1	Unknown		

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Stopwatch/Bucket					5 gal	8/2/1999

2. Measurements:

5 gallons in 18 seconds, 17 seconds, and 18 seconds.

MICROFILMED
SEP 25 2001

E. NARRATIVE/REMARKS/COMMENTS

Per Randy McNeel, President of North Idaho Crushing Inc., the 8" well (photo 1) was drilled by Uhlenkott Drilling in August 1996 under drilling permit number 86-96-N-0027-000. Unknown static or dynamic water level. The well is located within 20' of the intermittent stream on the southern edge of the gravel pit. The well was located on the attached topo map by Randy McNeel.

The system consists of an 1.0 HP submersible pump, piped underground to a spigot (photo 2) and to 4 large storage tanks (photo 3). Varying lengths of .75-inch garden hose lift water up about 15' from the spigot to a Rainbird B with 5/32" head on top of a gravel pile (photo 4). At the time of the exam, the pressure at the head was 27 psi. Water from the hose on top of the gravel pile filled a 5 gallon bucket in 18, 17, and 18 seconds.

Water is used in the rock crushing process 24 hours per day from the middle of June through the middle of September (approximately 93 days per year).

The water piped to the tanks is used for chemical irrigation of fields. McGregor's Chemigation services approximately 15,000 acres at various locations within Latah County. Fields are chemigated on average 4 times per season at a rate of up to 15 gallons per acre. The season of use varies as chemigation can occur at anytime during the year except when the field is frozen or during a heavy rain.

At the time of the exam, the tanks were already full and all water was being diverted to the Rainbird. All buildings are served by a separate domestic well.

MICROFILMED

Have conditions of permit approval been met? ^{SEP 25 2001} X yes no

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method: Stopwatch/5 gallon bucket

$$\text{gpm} = \text{gallons} \times (60/\text{seconds})$$

$$= 5 \times (60 \div 18) = 17 \text{ gpm}$$

$$\text{cfs} = \text{gallons per minute} \div \text{gallon in cubic foot}$$

$$= 17 \div 448.83 = 0.04 \text{ cfs.}$$

G. VOLUME CALCULATIONS

1. Volume Calculations

a. for rock crushing process:

$$\text{AF} = (\text{gallons per day} \times \text{days per year}) \div \text{gallons per AF}$$

$$= (17 \text{ gpm} \times 60 \text{ min/hr} \times 24 \text{ hr/day} \times 93 \text{ days/yr}) \div 325,850$$

$$= 2,276,640 \div 325,850$$

$$= 6.9 \text{ AF}$$

b. for chemigation:

$$\text{AF} = (\text{gallons per acre} \times \text{acres} \times \text{applications per year}) \div \text{gallons per AF}$$

$$= (15 \times 15,000 \times 4) \div 325,850$$

$$= 900,000 \div 325,850$$

$$= 2.8 \text{ AF.}$$

c. Total Volume = a + b

$$= 6.9 + 2.8 = 9.7 \text{ AF}$$

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	0.04	9.7
Totals:			0.04	9.7

2. Recommended Amendments

Change P.D. as reflected above

Add P.D. as reflected above

X None

Change P.U. as reflected above

Add P.U. as reflected above

Other

I. AUTHENTICATION

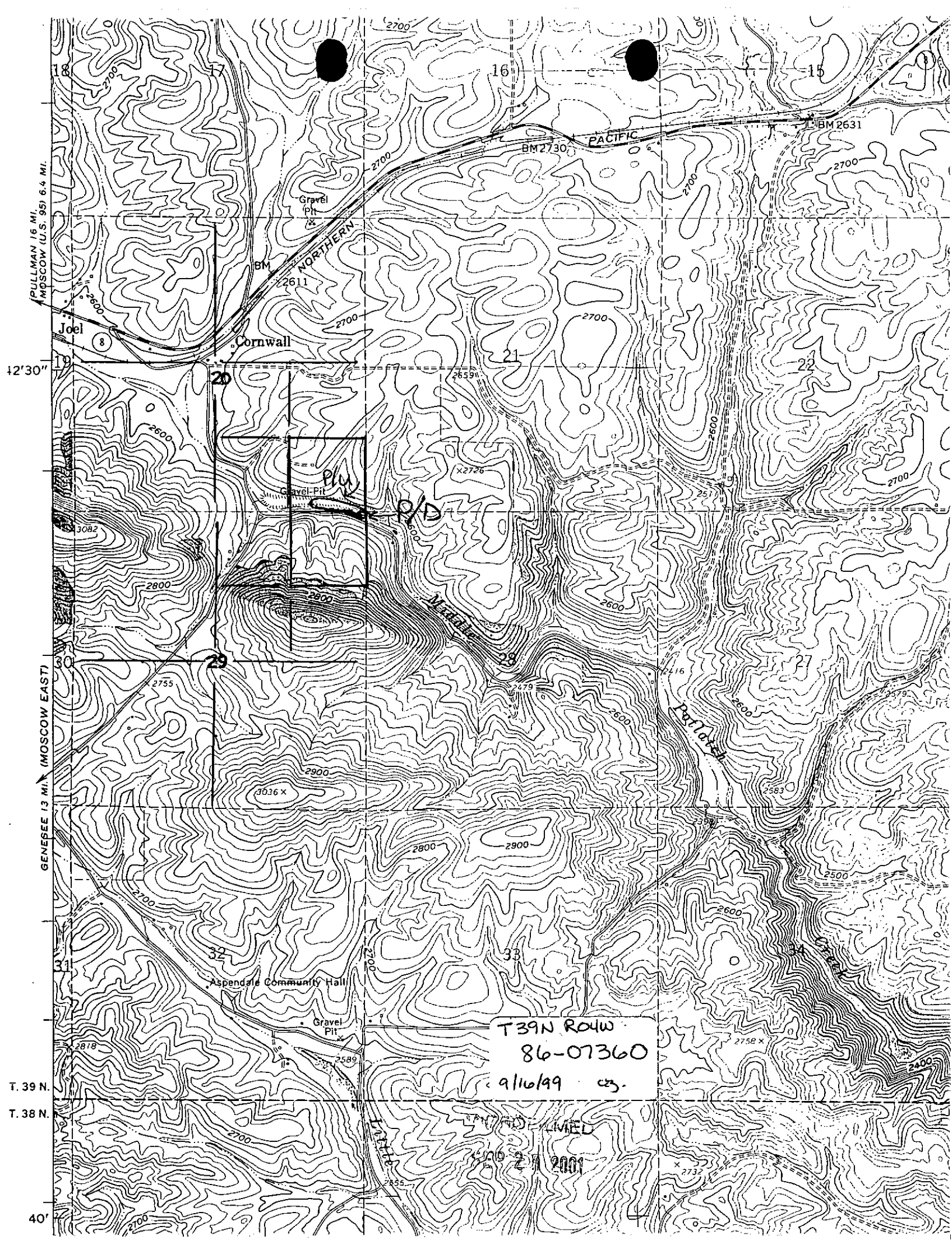
MICROFILMED

Field Examiner's Name: Cindy Zimmerman

SEP 25 2001 Date: September 16, 1999

Field Examiner's Signature:



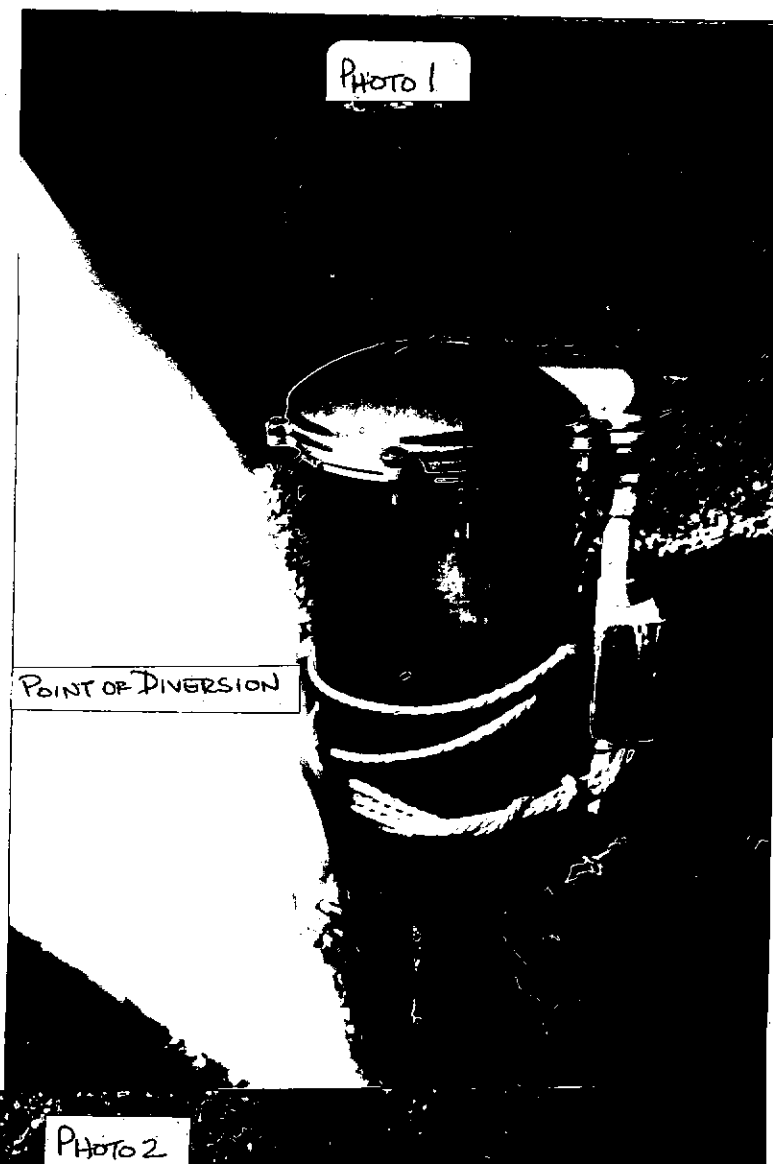


T39N ROWW
86-07360
9/16/99 cz.

UNFOUNDED
2001

PERMIT NO.: 86-07360

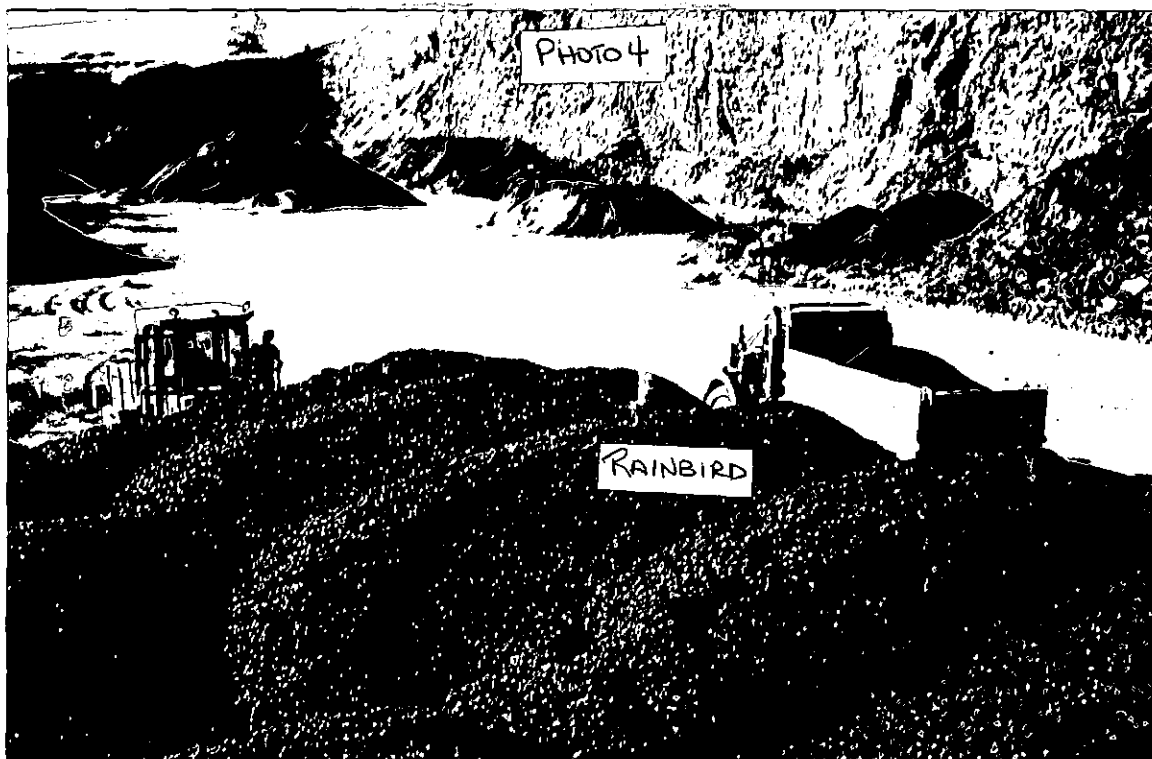
PHOTOS:



MICROFILMED
SEP 25 2001

PERMIT NO.: 86-07360

PHOTOS:



MICROFILMED

SEP 25 2001



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

May 10, 1999

DIRK KEMPTHORNE
GOVERNOR

North Idaho Crushing Inc
3753 Canyon Rd
Moscow ID 83843

KARL J. DREHER
DIRECTOR

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 86-07360

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and \$100.00 license examination fee submitted for the above referenced permit.

Enclosed is an order reinstating the permit since proof was submitted after the proof due date. Note that the priority date has been advanced to October 16, 1997, as provided in Section 42-218a.2, Idaho Code.

Additionally, a license examination fee is not required for a rate of diversion of 0.04 cfs or less from a ground water source. Therefore, you are entitled to a refund of the \$100.00 license exam fee. Your refund should arrive within seven (7) to ten (10) business days under separate cover.

Please 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.

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 the field examination, you may contact the **NORTHERN** Regional Office of the department in Coeur d'Alene at (208)769-1450.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

Enclosure

c: IDWR - Region
Brenda Corbett - Fiscal

MICROFILMED

JUN 10 1999

Permit No. 86-07360 Reviewed by JJ Date 4-15-99

Correct Uses? yes

New Address 16 Proof Made 2-12-99

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

January 11, 1999

NORTH IDAHO CRUSHING INC
3753 CANYON RD
MOSCOW ID 83843

LAPSE NOTICE

RE: PERMIT NO. 86-07360

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated October 31, 1998. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

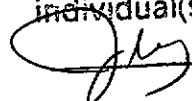
Enclosures

MICROFILMED

JUN 10 1999

CERTIFICATION OF MAILING

I hereby certify that on 1-11-99
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



October 31, 1998

NORTH IDAHO CRUSHING INC
3753 CANYON RD
MOSCOW ID 83843

PROOF DUE NOTICE

RE: PERMIT NO. 86-07360

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 January 1, 1999.

(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.

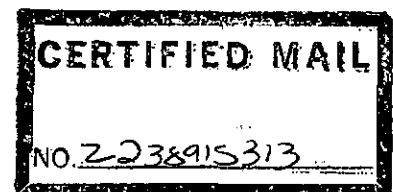
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

JUN 10 1999





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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 12, 1998

NORTH IDAHO CRUSHING INC
3753 CANYON RD
MOSCOW ID 83843

PERMIT APPROVAL NOTICE

RE: Permit 86-07360

Dear Permit Holder:

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

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

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 right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

MICROFILMED

AUG 21 1998

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

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

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosures

MICROFILMED

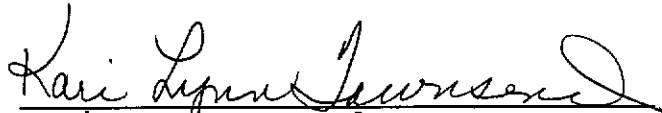
AUG 21 1998

CERTIFICATE OF MAILING

I hereby certify that on the 12th day of January, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 86-07360

NORTH IDAHO CRUSHING INC
3753 CANYON RD
MOSCOW ID 83843


Kari Lynn Townsend
Secretary

MICROFILMED

AUG 21 1998

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

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

MICROFILMED
AUG 21 1998

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

RECEIVED
AUG 21 1998

12/97

APPLICATION FOR PERMIT STATE OFFICE REVIEW

by *Cindy Lou*No.: 86-7360 Name: N. Id. Crusing Co Date: _____ Ad OK? ☒ Gvmt Lts: ☒AREA OF CONCERN: GW exempt - No/Yes: S/C Mor / _____ GWMA / Trust / Non-trust
PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

1 year/no proof
>1 yearP16
- 26A-P17

GROUNDWATER: (✓ FLO-CH)

WMD (✓ MAP)

>0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

WMD Supplemental use

>0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)
- No MD
- 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)
- 01M (report when notified)
- No MD

DRILLING PERMIT:

All wells (✓ WDQ3)

Included w/permit

No drilling permit?

irr. in WD

- 046 P23
- Permit No. 86 - 96 - N - 0027 - 000 - 009
- (post 7/1/87)
- P05 (new well location)

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

IN/ABOVE MIN. STR. FLOW (✓ MAP)

WD (✓ MAP & LISTING)

Pumped >0.20 cfs

WMD (✓ MAP)

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

- *WB9
- R04 (WD # _____) - 01J-P08 (MD)
- 01H-P01 (LD & MD) or No MD (in-stream stock)

- 067 or No MD (in-stream stock or power)
- No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

- 01M or No MD (in-stream stock or power)
- No MD

RIVER BASINS: (*Surface water):

Snake R (01)

(02/03-irr)

Payette R(65)

Salmon R (70's)

- *W22 -P04, NA
- 007 (w/ remark *WB9 if above Weiser), NA
- *W22 (regulated uses), 047-P04 (Payette Lake), NA
- 029 (fish screens), NA

USE:

Domestic surface

>1 in rest. area

Fish Propagation

Heating/Cooling

Irr ≤ 5 acres

> 5 acres

Mining

Municipal

Power

Stockwater

Storage (✓ 3 compo.)

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
- 071-070
- 029-007-042(req)-081 (WQ)-P10
- R07 (injection well)
- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- 054(req) -081-P10
- 022, 075, 004 (+memo?), NA (not in restricted area)
- 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);
- 17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18
- R37 (BLM/USFS); NA
- 18A (in & out MD for on-stream storage); 18B-P09 (>10' dam), NA

LOCATION:

42-248 area

Boise Front LoGeo

In-stream dev.

Irr Dist/Canal Co.

SWAN FALLS FLAG (See Code Chart)

Trust

Non-Trust (1)

- P84 in 20/30/40/50/60/70/80 (87) basin
- 058 (<85° GW temp only)
- P52 (stream channel alteration)
- 023 (Twin Falls area)

OWNERSHIP:

OTHER CONDITIONS:

STANDARD REMARKS:

- 051-052-053-P74 (Consumptive Uses), NA
- 048-049 (Consumptive Uses), NA
- 004 (PD/PU) _____
- 081 _____

BENEFICIAL USE DUE:

COMMENTS:

- 0 End/cont crusing
- 1/1/ 1999
- seq. comp off 12/30/97



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

December 30, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ATTN: CINDY Z.

North Idaho Crushing Inc.
3753 Canyon Rd.
Moscow ID 83843

RE: Application for Permit No. 86-07360

Dear Sir:

I received the above application for permit for domestic use for final review. However, due to the requirement of Water Allocation Rule 035.03.b.1., I need a list of the names, titles, and addresses of all the officers and/or partners of North Idaho Crushing Inc.

I will hold further processing on your application for 14 days pending your response. Please submit this information as quickly as possible within the 14-day period to prevent any further undue delay in processing your application.

If you have any questions, you may contact me directly at (208) 327-7944.

Sincerely,

A handwritten signature in cursive script that reads "Cindy Zimmerman".

Cindy Zimmerman
Water Resource Agent

c: Northern Region

RANDY MCCAUL	PRES.	1090 NORA CREEK RD. - TROY
KURTIS MCCAUL	V. P.	1281 SPENCE RD. - TROY
RICK MCCAUL	SEC/TREAS.	3761 CANYON RD. - MOSCOW

MICROFILMED

AUG 21 1998



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

December 30, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

North Idaho Crushing Inc.
3753 Canyon Rd
Moscow ID 83843

RE: Application for Permit No. 86-07360

Dear Sir:

I received the above application for permit for domestic use for final review. However, due to the requirement of Water Allocation Rule 035.03.b.i., I need a list of the names, titles, and addresses of all the officers and/or partners of North Idaho Crushing Inc.

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If you have any questions, you may contact me directly at (208) 327-7944.

Sincerely,

Cindy Zimmerman
Water Resource Agent

c: Northern Region

MICROFILMED
AUG 21 1998

No. a
4/87-06/92n

I 3 DEPARTMENT OF WATER RESOURCE
APPROVATION APPLICATION ANALYSIS SHEET

RECEIVED

WR1
WRA
BC

APPLICATION # 86-7360

DEC 24 1997

***** INITIAL REVIEW *****

APPLICANT: NORTH DAKOTA CRUISING

BY: JB

DEPARTMENT OF WATER RESOURCES

DATE: 9/14/97

ITEM REQUIRED INFORMATION

1. (X) Name and Address
2. (X) Source
3. (X) Point of Diversion & County
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
13. (X) Map
(X) Signature
(X) Fee (Amt, recpt, acknowledgment)

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

ADDITIONAL INFORMATION

Yes No

- X Field check: by _____
+ Field report attached
+ Analysis Supp. attached(>5cfs/500af)
+ Water delivered by water master?
Water District # _____

PROCESSING

Yes No

PRIORITY DATE: 9/14/97

X (Include Moratorium Remark)

X Statewide Avertising: (Diversion rate greater than 10 cfs or 1,000 af).

ADVERTISE IN: LATAH 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 *****

(Yes) (No)

Checked by: _____ Date: ____/____/____

Remarks: _____

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

***** FINAL REGIONAL PROCESSING/REVIEW *****

(Yes) (No)

- 12/1 Notice of pending void order issued. Final order response date: ____/____/____
12/1 Further information required from applicant
12/1 Affidavit of publication received
12/1 Application published correctly, If not, record action taken: _____
1/12 Publication dates and paper recorded on application | Sr. Agent initial _____
Protests received. Final protest date: 12/18/97
Measuring device required
Measuring port required
Special conditions: _____
Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by: _____ Date: ____/____/____

November 12, 1997

Mailed 12/22/97

Randy McNiel
North Idaho Crushing Inc.
3753 Canyon Road
Moscow ID 83843

Re: Water Appropriation Application No. 86-07360

Dear Mr. McNiel:

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Permit to appropriate the Public Waters of the State of Idaho. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application. Enclosed for your file are Receipts No. N011588 for the Water Right fee; No. N011589 and N011746 for well upgrade fees.

Your appropriation application is currently being prepared for advertising in the local county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests. Normal processing time is approximately 3 to 4 months, if the application is not protested.

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. State office personnel will then conduct a complete review, and you will be notified by mail of the outcome. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. All protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State office in Boise.

If your source is groundwater, a Well Drilling Permit is required for all wells constructed after July 1, 1987.

A "Domestic" well drilling permit should be obtained for a rate of diversion of up to 18 gallons per minute (0.04 CFS) and a daily volume of up to 2,500 gallons per day. The cost for this permit is \$75.00. For any other use, including multiple homes, or municipal, etc., the Drilling Permit fee is \$200. These Permits can be obtained by your driller, also. It is sometimes possible to upgrade an existing Domestic Drilling Permit by submitting a fee for the difference. This, however, depends on the individual well.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent
AB:db

MICROFILMED

AUG 21 1998

December 2, 1997

Randy McNiel
North Idaho Crushing Inc.
3753 Canyon Road
Moscow ID 83843

RE: Upgrade Fee

Dear Mr. McNiel:

We are writing to let you know that the advertisement of your water right filing has been completed and the final date for protests to be received for it is December 8, 1997.

As we discussed previously, we will need an additional \$50.00 in order to upgrade your well drilling permit prior to the approval of your water right permit.

Please send the upgrade fee to us prior to December 8, 1997.

If you have any questions, please feel free to contact me at this office.

Sincerely,

Allen Beardslee
Sr. Water Resource Agent

MICROFILMED

AUG 21 1998

From: DWR50::DBALL
To: DBALL

17-NOV-1997 00:00:09.81

CC:
Subj: NO.ID.CRUSHING 86-07360 - UPGRADE FEE?? - *Still not received*
Reminder!! Reminder!! Reminder!! *This is out for advertising now.*

MAP IN FILE - WENE 29 IS CORRECT - NO CHANGE FOR

Advertising ok 12/1/97

Still waiting for upgrade fee balance

- 11:36 AM
*- 12/10/97. RANDY SAID THAT HE WOULD SEND \$50-
UPGRADE FEE TODAY.*

Received 12/12/97 to Rec. # N011746

MICROFILMED

AUG 21 1998

Affidavit of Publication

STATE OF IDAHO

County of Latah

ss.

Mary Shiel
Legal Clerk

being first duly sworn, on oath,
deposes and says:

That she is the printer of
Moscow-Pullman Daily News, a
newspaper of general circulation,
printed and published daily except
Sunday at Moscow, Latah County,
Idaho, in compliance with Sections
60-106, 60-107, and 60-108 of the
Idaho Code and the amendments
thereto; that the notice of which the
annexed is a full, true and correct
printed copy was published in the
regular and entire issues of said
newspaper and not in a supplement
thereto, upon the following dates:

Nov. 20, 27, 1997

the same being the dates designated
for the publication of said notice.

M. Shiel

On this 28 day of Nov
in the year of 1997, before me, a Notary

Public, personally appeared

Mary Shiel

known or identified to me to be the person whose
name 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.

Ann Marie Gule
Notary Public for Idaho

Residing at Troy, Idaho

My commission expires: 5/11/98

NOTICE OF APPLICATION FOR WATER RIGHT

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

86-07360

NORTH IDAHO CRUSHING
INC

3753 CANYON ROAD

MOSCOW, ID 83843

Source: GROUNDWATER.

Diversion Pt: NENE Sec 29 T
39N R 04W in LATAH County

Use: INDUSTRIAL (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 9/4/1997

In: LATAH County

T39N R04W S20 SESE

S29 NENE

For additional information con-

cerning the property location, call
the Northern Regional Office at
(208) 769-1450.

The permit(s) will be subject to
all prior water rights. Protests must
be filed with the applicant and with
the Director, Dept. of Water
Resources, Northern Region, 1910
Northwest Blvd., Suite 210, Coeur
d'Alene, Idaho 83814, together with
a protest fee of \$25.00 on or before
DECEMBER 8, 1997.

Karl J. Dreher, Director
November 20, 27, 1997

RECEIVED

DEC 01 1997

NORTHERN REGION
IDWR

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AUG 21 1998

86-07360

NORTH IDAHO CRUSHING INC
3753 CANYON ROAD
MOSCOW, ID 83843

Source: GROUNDWATER

Diversion Pt: NENE Sec 29 T 39N R 04W in LATAH County.

Use: INDUSTRIAL	(	0.040 CFS)
Total Diversion:	(	0.040 CFS)

Date Filed: 9/ 4/1997

In: LATAH County	
T39N R04W S20	SESE
S29	NENE

MICROFILMED

AUG 21 1998

Conversation Memo

Date: November 6, 1997

From: Beardslee

RE: North Idaho Crushing Inc Application for Permit

I spoke with Mr. Mc Niel regarding the location of his well, as it was unclear from his faxed map. He described the well as being located north of the county road and south of Middle Potlatch Creek. He agreed that it was located within the NE1/4 NE1/4, Sec.29, T.39N., R.4W.

Industrial use was added to the SE1/4 SE1/4, Sec. 20, T.39N., R.4W.

Mr. Mc Neel also stated that he would send the additional \$50.00 upgrade fee for the well drilling permit

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AUG 21 1998



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

FAX TRANSMITTAL COVER SHEET

PHILIP E. BATT
Governor

KARL J. DREHER
Director

Brother MFC-6550mc

DATE: 9/23/97

TO: N. BOARD CRUSHING
FROM: _____

FROM: IDWR
TO: _____

FAX #: _____

DOCUMENT DESCRIPTION: PLEASE MARK MAP WHERE WELLS
ARE LOCATED & WHERE INDUSTRIAL USE WILL BE.
OUR RECEIPTING RECORDS SHOW YOU WILL HAVE TO "UPGRADE"
YOUR WELL DRILLING PERMIT BY SUBMITTING AN ADDITIONAL
\$125 PRIOR TO THE APPROVAL OF YOUR WATER RIGHT APPLICATION.
TOTAL PAGES SENT: 1 PLUS (+) COVER SHEET

CONTACT: AL BEARDSLEE
(NAME OF SENDER)

PLEASE FAX BACK MAP.

Charges: One (1) free copy per request, cover sheet not included. Two (2) or more copies per request are \$0.25 per page with a \$0.50 minimum.

PLEASE CONSIDER THIS DOCUMENT AS A BILLING STATEMENT.

THE CHARGE FOR YOUR FAX COPIES IS \$ _____.

PLEASE REMIT BY RETURN MAIL TO THE ABOVE ADDRESS.

PHONE NO.: (208) 769-1450

AUG 21 1998

FAX NO.: (208) 769-1454

~ Celebrating Our Centennial Year of Service to Idaho 1895-1995 ~



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

FAX TRANSMITTAL COVER SHEET

PHILIP E. BATT
Governor

KARL J. DREHER
Director

Brother MFC-6550mc

DATE: 9/23/97

TO: N. IDAHO CRUSHING

FROM: POWR

FAX #: _____

DOCUMENT DESCRIPTION: PLEASE MARK MAP WHERE WELLS
ARE LOCATED & WHERE INDUSTRIAL USE WILL BE.
OUR RECEIPTING RECORDS SHOW YOU WILL NEED TO "UPGRADE"
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MICROFILMED

PHONE NO.: (208) 769-1450 **AUG 21 1998**

FAX NO.: (208) 769-1454

~ Celebrating Our Centennial Year of Service to Idaho 1895-1995 ~

SD-2502

Idaho Department Of Water Resources
Receipt Maintenance - Select Receipt(s)

Date: 09/23/97
Time: 09:52:43

Sel	Rec.No.	From Payer	Date	Total Fees	A.R.No.	Status
-	N008828	NORTH IDAHO CRUSHING INC	04/20/1995	50.00	/	/A
-	N010492	NORTH IDAHO CRUSHING INC	07/25/1996	75.00	/	/A
-	N011588	NORTH IDAHO CRUSHING INC	09/04/1997	50.00	/	/A
-	N011589	NORTH IDAHO CRUSHING INC	09/04/1997	75.00	/	/A
-	N007586	NORTH IDAHO CRUSHING INC.	04/26/1994	50.00	/	/A

(Enter=Select & Continue)

(GOLD7=Return to Selection)

(Menu _____)

N008828 > TEMPORARY WATER RIGHTS
N007586

N011588 - APPLICATION FOR PERMIT

N010492 - WELL DRILLING PERMIT

N011589 - PARTIAL UPGRADE FOR WELL DRILLING PERMIT

- RANDY,

IF YOU HAVE ANY QUESTIONS, PLEASE CALL.

RL

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AUG 21 1998

PARTIAL UPGRADE FEE

\$75.00

WD FEE

MICROFILMED

AUG 21 1998

RECEIVED

SEP 04 1997

NORTHERN REGION
IDWR

Still need \$50.00

to come per Randy McNeel

4153

\$50.00

WR APP FEE

RECEIVED

SEP 04 1997

NORTHERN REGION
IDWR

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AUG 21 1998



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

PHILIP E. BATT
Governor

KARL J. DREHER
Director

June 30, 1997

RANDY MC NEEL
NORTH IDAHO CRUSHING INC
3753 CANYON RD
MOSCOW ID 83843

Re: Ground Water Right

Dear Mr. Mc Neel:

I just discovered that my last correspondence with you was quite vague so I am writing this letter to better explain the departments position on water rights and ground water wells.

Idaho Code 42-111, reads in part:

" A. The use of water for homes, organizations camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to one-half ($\frac{1}{2}$) acre of land, if the total use is not in excess of thirteen thousand (13,000) gallons per day, or

B. Any other uses, if the total use does not exceed a diversion rate of four one-hundredths (0.04) cubic feet per second (less than 18 gallons per minute) and a diversion volume of twenty-five hundred (2,500) gallons per day.

For the purposes of these sections, domestic purposes or domestic uses shall not include water for multiple ownership subdivisions, mobile home parks commercial or business establishments, unless the use meets the diversion rate and volume limitations set forth in subsection B. of this section."

Idaho Code requires the filing of an Appropriation Application for all water uses except those listed above. since you are using the water other than as described above, you MUST file with the IDWR Northern Regional Office, the appropriation application I sent to you with my last letter.

As I stated when I was inspecting your water wells, the Drilling Permit fee for a "domestic" well is \$75.00, the fee for any well other than a "domestic" well is \$200.00.0. You have paid a \$75.00 filing fee, so you must "upgrade" your drilling permit to include purposes other than those listed above. You can accomplish this by paying the additional drilling permit fee of \$125.00

If you have questions you may contact the Northern Regional Office at (208) 769-1450.

Sincerely,

Tom D. King
Sr. Water Resource Agent
Ground Water Protection Section

MICROFILMED

AUG 21 1998

*Partial Upgrade
fee received
9/4/97 (\$75.00)
because to follow
per Mr. McNeel*



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

PHILIP E. BATT
Governor

KARL J. DREHER
Director

June 9, 1997

NORTH IDAHO CRUSHING INC
3753 CANYON RD
MOSCOW ID 83843

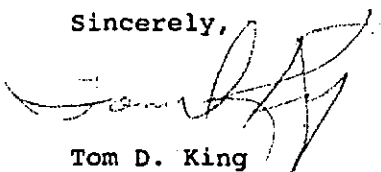
Re: Water Right

Gentlemen:

Enclosed is the Appropriation Application we discussed when I inspected the wells on your property. Please sign the application and return it to this office with the \$50.00 filing fee.

If you have questions you may contact me at the Northern Regional Office at (208) 769-1450.

Sincerely,


Tom D. King
Sr. Water Resource Agent
Ground Water Protection

MICROFILMED

AUG 21 1998