

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 29-07855

Priority: October 18, 1988

Maximum Diversion Rate:

0.67 CFS

Maximum Diversion Volume:

438.5 AF

This is to certify, that ASH GROVE CEMENT WEST INC  
230 CEMENT RD  
INKOM ID 83245

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 18, 1988; and has submitted Proof of Beneficial Use on April 20, 1989. An examination indicates that the works have a diversion capacity of 0.720 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
INDUSTRIAL	01/01 to 12/31	0.67 CFS	438.5 AF

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 28, Township 07S, Range 36E  
BANNOCK County

PLACE OF USE: INDUSTRIAL

TWN RGE SEC

07S 36E 21

SWSE

## CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. When water used under this right is discharged into the natural channel, settling ponds must be maintained which are capable of reducing the silt load to such a level that the quality of water will not be impaired for other beneficial uses.
6. Water used under this right when discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
7. Industrial use is for a cement processing plant.

UNRECORDED  
MAY 10 1989

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 29-07855

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.  
Witness the seal and signature of the Director, affixed at Boise, this 6<sup>TH</sup>  
day of MARCH, 1997.

  
KARL J. DREHER, Director



RECORDED  
MAR 10 1997

**RECEIVED**  
APR 20 1989

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only  
Fee Received 100.00  
Date 4/20/89  
Receipt # MD6436  
Receipt by [Signature]  
Reviewed by [Signature]  
Sent to region [Signature]

**PROOF OF BENEFICIAL USE**

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 29-7855

Name(s) of Permit Holder: Ash Grove Cement West, Inc.

Post Office Address: 150 Cement Road

Inkom, Idaho 83245 Telephone No. (208) 775-3351

Source of Water: Ground Water -- the well was originally drilled in 1973 & never used until January 1989.

Extent of Use:

Domestic \_\_\_\_\_ (number of households) Stockwater \_\_\_\_\_ (number and type of stock)  
Irrigation \_\_\_\_\_ (acres) Other/Remark Industrial Process Water

Total rate and/or volume for which proof is submitted 0.67 cfs \_\_\_\_\_ acre-feet

Show the date water was first diverted and beneficially used under this permit: January 1989

Measuring Device: Required?  Yes  No  
Installed?  Yes  No  
Fee enclosed \$100.00  
(See License Examination Fee Schedule)

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

Person to contact to accompany the Department representative during the field examination:

Henrik Voldbaek - Plant Superintendent (208) 775-3351  
(Name) (Telephone Number)

Ash Grove Cement West, Inc. 150 Cement Road, Inkom, Idaho 83245  
(Address)

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

**MICROFILMED**  
AUG 17 1989

4/18/89  
Date

Henrik Voldbaek - Plant Superintendent  
Signature of Permit Holder (and title, if appropriate)

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant ASH GROVE CEMENT WEST, INC. Phone 775-3351  
Post office address 150 CEMENT ROAD, INKOM, IDAHO 83245

2. Source of water supply GROUND WATER which is a tributary of \_\_\_\_\_

3. Location of point of diversion is NE 1/4 of NE 1/4 of \_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_  
Sec. 28 Township 7S Range 36E B.M. BANNOCK County; additional  
points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

- Amount 0.67 for INDUSTRIAL purposes from JAN 1 to DEC 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) 0.67 and/or (b) \_\_\_\_\_  
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 25 HP SUBMERSIBLE PUMP - -  
WATER TO BE PUMPED INTO APPROXIMATELY 1200 FT. OF  
4 INCH PIPE, BURIED BELOW FROST LINE.

b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total  
reservoir capacity N/A acre-feet; period of year when water will be diverted to storage:  
N/A to N/A inclusive.

c. Proposed well diameter is 10 inches; proposed depth of well is 200 feet.

d. Is ground water with a temperature of greater than 90°F being sought? NO

7. Time required for the completion of the works and application of the water to the proposed beneficial use is  
1 years (minimum 1 year).

MICROFILMED

MAR 03 1989

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in KW. \_\_\_\_\_
  - Stockwatering; list number and kind of livestock. \_\_\_\_\_
  - Municipal; show name of municipality. \_\_\_\_\_
  - Domestic; show number of households. \_\_\_\_\_
  - Other; describe fully. INDUSTRIAL USE, AS PROCESS WATER IN THE MANUFACTURING OF PORTLAND CEMENT, PLUS POSSIBLY USED FOR COOLING WATER FOR BEARINGS ON MACHINERY.
9. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
  - 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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
75	36E	<del>20</del> 21																I	

Total number of acres to be irrigated \_\_\_\_\_

10. Describe any other water rights used for the same purposes as described above. 29-04069, 29-07076, A29-10029.
11. a. Who owns the property at the point of diversion? ASH GROVE CEMENT WEST, INC.  
 b. Who owns the land to be irrigated or place of use? N/A.  
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. \_\_\_\_\_

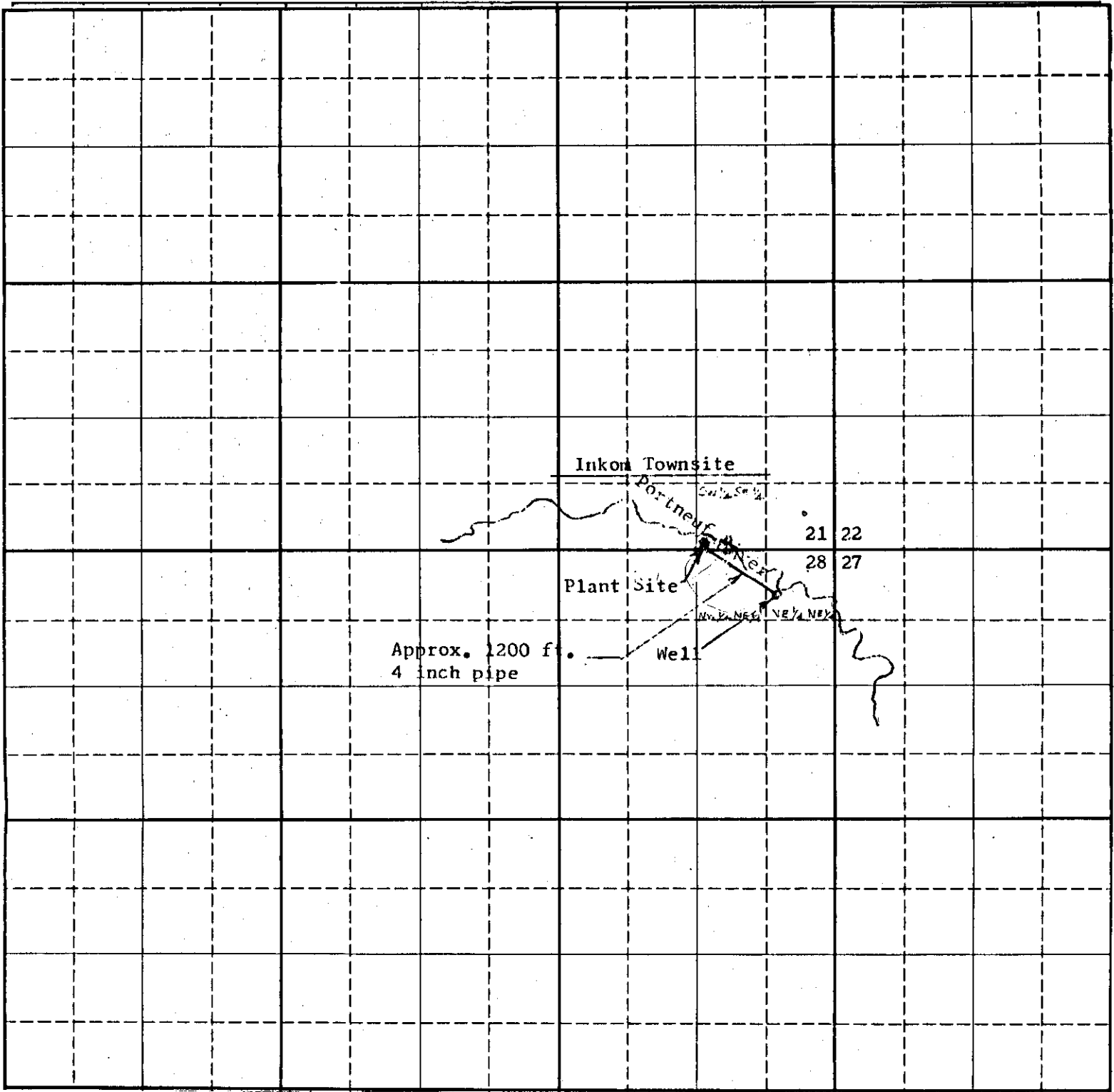
12. Remarks: THE TOTAL DEPTH OF THE WELL IS 200 FT. A DEPTH OF 55 FT. WITH 10 INCH CASING.

Company officers - Pres - George M. Wells  
V.P. - Treas - Earl Chatter  
V.P. And. - Dick Cooke

**MICROFILMED**

MAR 03 1989

13. 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.

**MICROFILMED**

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.

MAR 03 1989

*Hennrik Voldback - Process engineer.*

(Applicant)

AGCW.

Proposed Priority 10/18/88

Received by EMC Date 18 Oct 1988 Preliminary check by HWT

Fee \$ 45.00 Received by EMC # E003255 Date 18 Oct 1988

Publication prepared by QB Date 10-27-88 Published in Idaho State Journal

Publication approved JW Date 11-17-88

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7855, 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 February 1, 19 90.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

In the event that water used under this permit should be discharged into a natural channel, settling ponds will be required which are capable of reducing the silt load to such a level that the quality of the water would not be impaired for other beneficial uses.

Water used under this permit if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.

Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Witness my hand this 3<sup>rd</sup> day of February, 1989.

J. Glen Saylor

**MICROFILMED**

**MAR 03 1989**



# PROOF OF PUBLICATION

STATE OF IDAHO }  
County of Bannock } ss.

Julie A. Potter

being first duly sworn on oath deposes and says: That she was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

November 3	, 19 88	, 19
November 10	, 19 88	, 19
	, 19	, 19
	, 19	, 19
	, 19	, 19

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

*Julie A. Potter*

Subscribed and sworn to before me this 10th day of November, 19 88.

*John T. Johnson*

Notary Public, State of Idaho  
Residence: Pocatello, Idaho

**NOTICE OF APPLICATION FOR WATER RIGHT**  
 The Following application(s) have been filed to appropriate the public waters of the State of Idaho:  
 29-07855  
 ASH GROVE CEMENT WEST, INC.  
 150 CEMENT ROAD  
 INKOM, ID 83245  
 Source: GROUNDWATER  
 Diversion Pt:  
 NENE Sec 28 T 07S R 36E  
 Use: INDUSTRIAL (.670 CFS)  
 Date Filed: 10-18-1988  
 In: T07S R36E S21 SWSE  
 The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before NOVEMBER 21, 1988.  
 S/R. Keith Higginson, Director  
 November 3, 10, 1988  
 No. 399

RECORDED

MAR 10 1989

Department of Water Resources  
Eastern District Office



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

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

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

March 7, 1997

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

ASH GROVE CEMENT WEST INC  
230 CEMENT RD  
INKOM ID 83245

RE: WATER RIGHT NO. 29-07855

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

### PETITION FOR RECONSIDERATION

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

### EXCEPTIONS AND BRIEFS

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

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

ENCLOSURE

### ORAL ARGUMENT

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

### CERTIFICATE OF SERVICE

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

### FINAL ORDER

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

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

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

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

### APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen  
Water Rights Supervisor

SK:ph

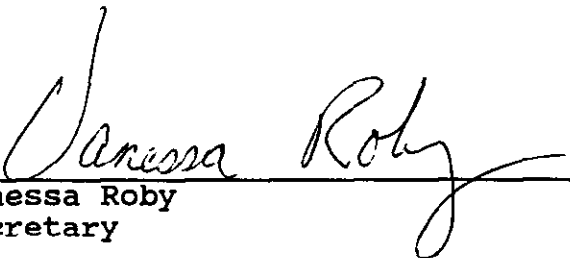
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 7th day of March, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 29-07855

ASH GROVE CEMENT WEST INC  
230 CEMENT RD  
INKOM ID 83245

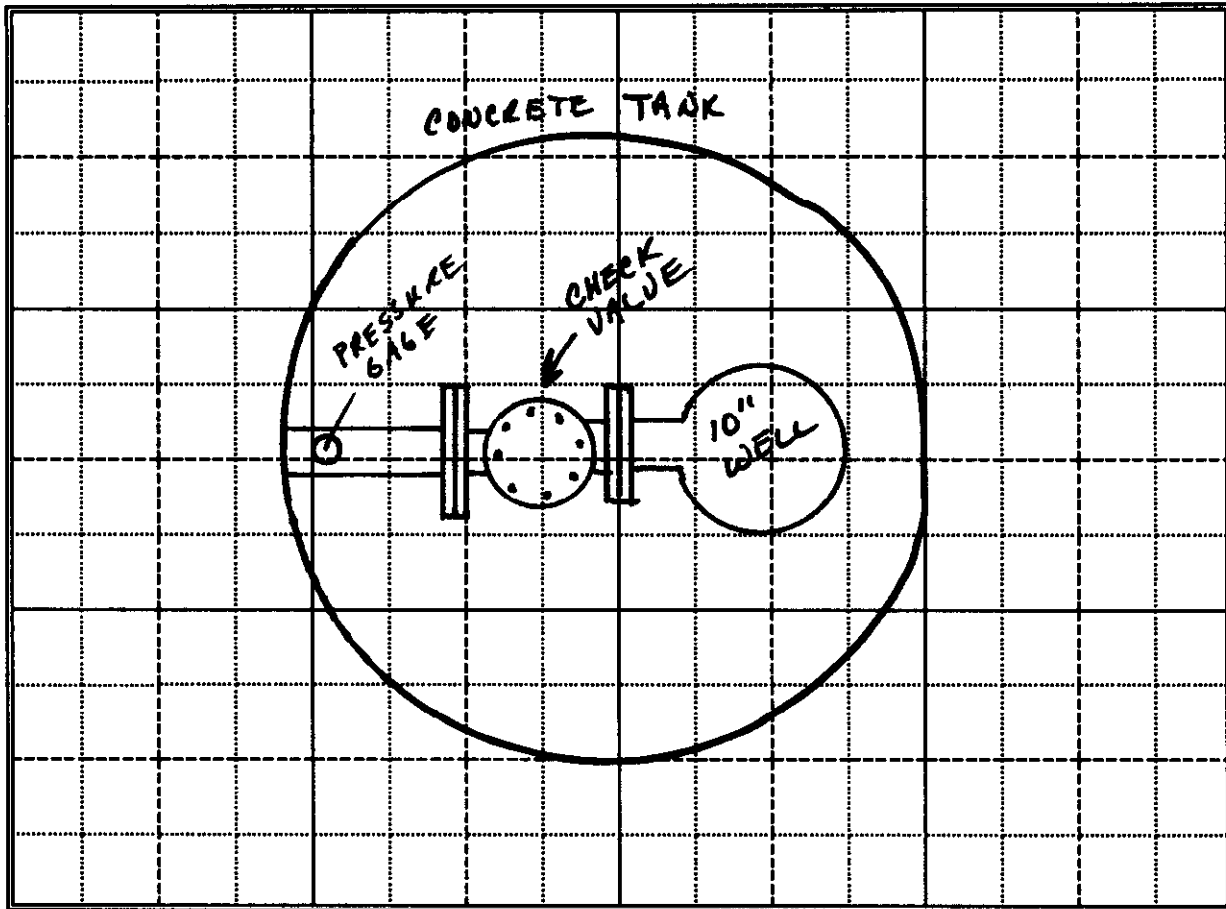
  
\_\_\_\_\_  
Vanessa Roby  
Secretary

1000000000

MAR 10 1997



3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable. *SYSTEM IS BURIED EXCEPT AT PLANT.*



Scale: 1" = \_\_\_\_\_

\_\_\_\_\_ 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)

\_\_\_\_\_ 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
PLANT WELL	GRUNDFOS	10			4"

\*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

2. Measurements: None

MICROFILMED

MAR 16 1987

E. NARRATIVE/REMARKS/COMMENTS

ON 2/14/95 AT APPROXIMATELY 0950 HRS, I CONTACTED GORDON BERNIER AT ASH GROVE CEMENT WEST, INC, IN CONNECTION WITH PERMIT # 29-07855.

WATER PRODUCED FROM THIS WELL IS USED IN THE MANUFACTURING AND PROCESSING OF CEMENT. THE SYSTEM IS UNDERGROUND BURIED FROM THE WELL TO PLANT, APPROX. 1.5/10 MILE.

WELL / PUMP: (10 hp)

WELL = 10"

PUMP = 33'

DEPTH = 200'

SYSTEM PRESSURE AT PUMP SURFACE

STATIC WATER = 18'

DISCHARGE POINT = 32 PSI (MSG-646E 0-100)

4" MAIN LINE

CHECK VALVE INSTALLED

PROCESSING PLANT OPERATES 330 DAYS PER YEAR, 24 HOURS PER DAY.

SOME DATA SUPPLIED BY: CRAIG SOUTHWORTH

ASH GROVE CEMENT

(208) 775-3351 Ex. 15

Have conditions of permit approval been met?  yes  no

WISCONSIN  
MAR 10 1995

**F. FLOW CALCULATIONS**

Additional Computation Sheets Attached

Measured Method:

THEORETICAL Q = 0.72 CFS  
 PERMIT LIMITS TO 0.67 CFS

**G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

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

2. Volume Calculations for Other Uses:

INDUSTRIAL USE RECORDS INDICATE PLANT PRODUCTION OPERATIONS AT 330 DAYS PER YEAR, 24 HOURS PER DAY.

$0.67 \text{ CFS} \times 448.8 = 300,69 \text{ GPM} \times 60 \text{ MPH} = 18,041.76 \text{ GPM} \times 24 \text{ HPD} =$   
 $433,002.24 \text{ GPD} \times 330 \text{ DAYS} = \frac{142,890,000 \text{ GALLONS/YEAR}}{325,850 \text{ GALLONS/AF}} = \boxed{438.5 \text{ AFA}}$

**H. RECOMMENDATIONS**

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>INDUSTRIAL</u>	<u>1/1</u>	<u>12/31</u>	<u>0.67 CFS</u>	<u>438.5 AFA</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
<b>Totals:</b>			<u>0.67 CFS</u>	<u>438.5 AFA</u>

2. Recommended Amendments

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

**I. AUTHENTICATION**

Field Examiner's Name DON SIMPKINS Date 11/20/96

Reviewer [Signature] Date 12-20-96

14057-10000  
 MAR 10 1997

SEAL

## THEORETICAL PUMP FLOW CALCULATIONS

Formula:

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

$$\begin{aligned} Hp &= \text{Horsepower} = \underline{10} \\ Eff &= \text{Efficiency} = \underline{.70} \quad (\text{Usually } 70\%) \\ \text{Lift: } &(\text{Static Level} + \text{Assumed Drawdown}) \\ \text{Static Water Level} &= \underline{18} \text{ ft.} \\ \text{Assumed Drawdown} &= + \underline{10} \text{ ft.} \\ \text{Lift} &= \underline{28} \end{aligned}$$

OR

$$\text{Measured Dynamic Water Level} = \underline{\hspace{2cm}} \text{ ft.}$$

SYSTEM TAKEN ON PSI.

$$\text{psi} = \text{Operating Pressure} = \underline{25} \text{ psi}$$

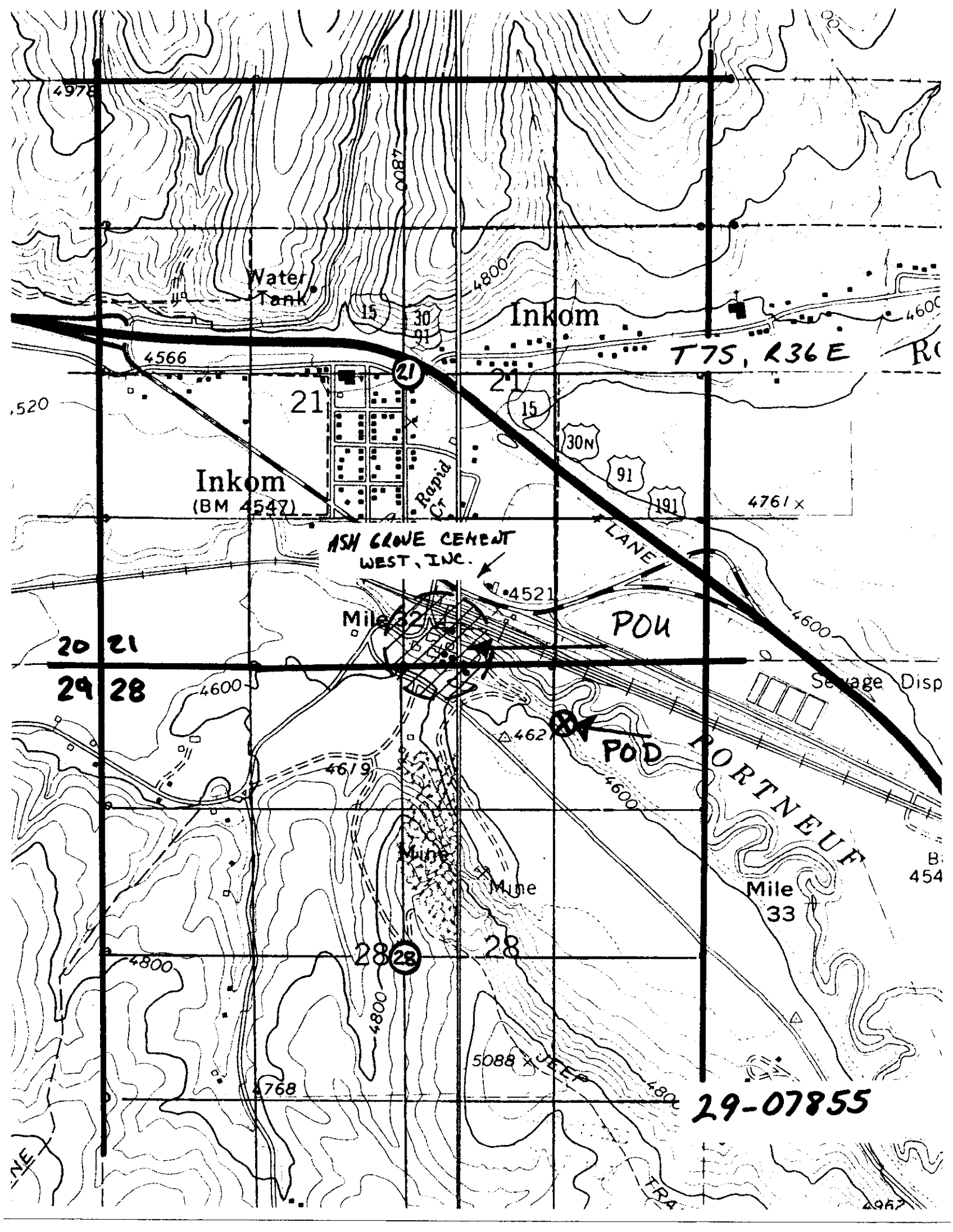
$$Q_{cfs} = \left[ \frac{10}{Hp} \times 8.814 \times \frac{.70}{Eff} \right] \div \left[ \frac{28}{Lift} + \left( \frac{25}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[ \underline{61.698} \right] \div \left[ \underline{85.70} \right]$$

$$Q_{cfs} = \underline{0.719} \text{ cfs}$$

RECEIVED  
FEB 10 1971

29-07855



Water Tank

Inkom

T75, R36E

4566

21

Inkom  
(BM 4547)

Rapid Ct.

ASH GROVE CEMENT  
WEST, INC.

POU

20 21  
29 28

Mile 32

POD

PORTNEUF

Mile 33

28

28

29-07855

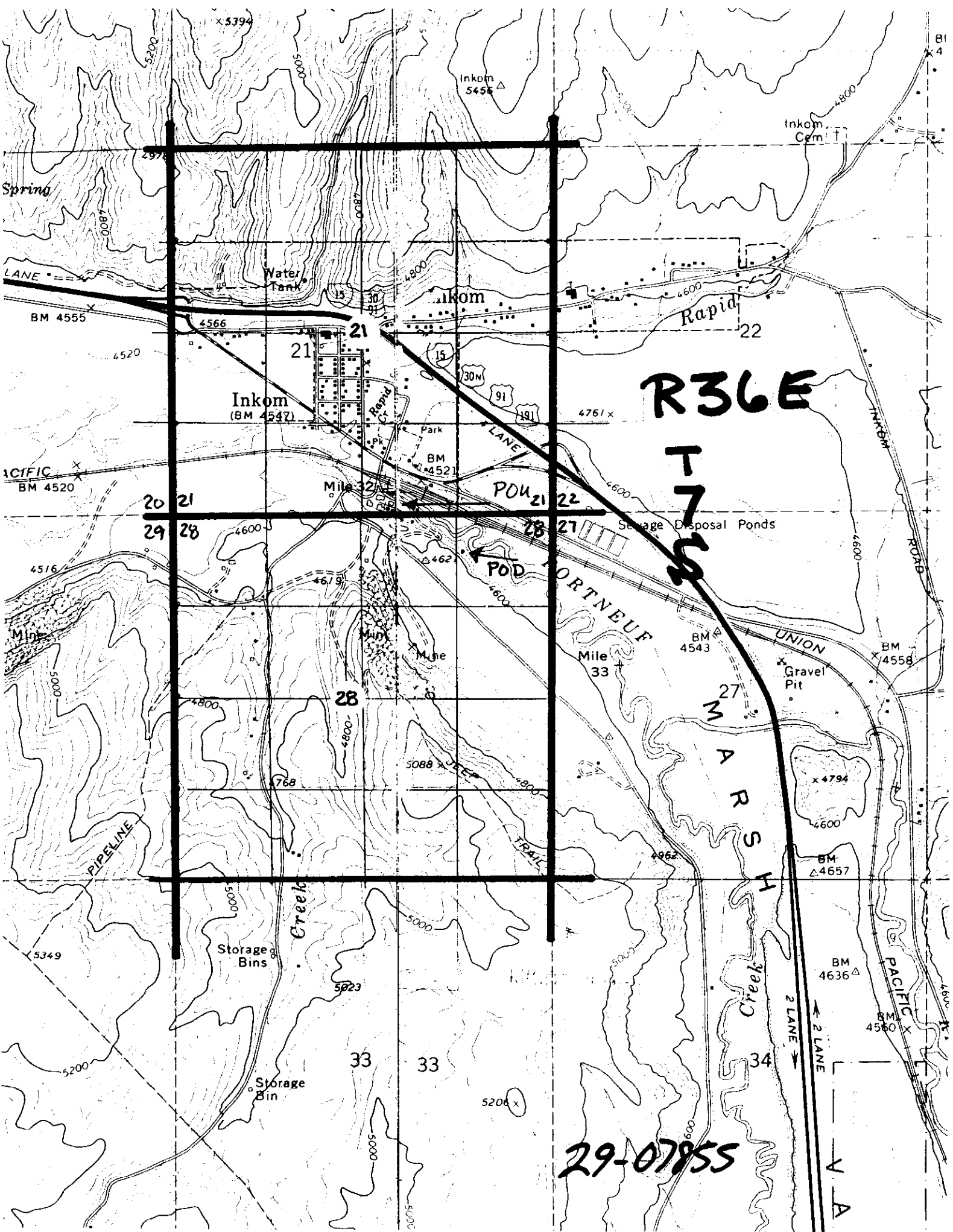
28

28

5088

JEEP

4967



R36E

T7S

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28

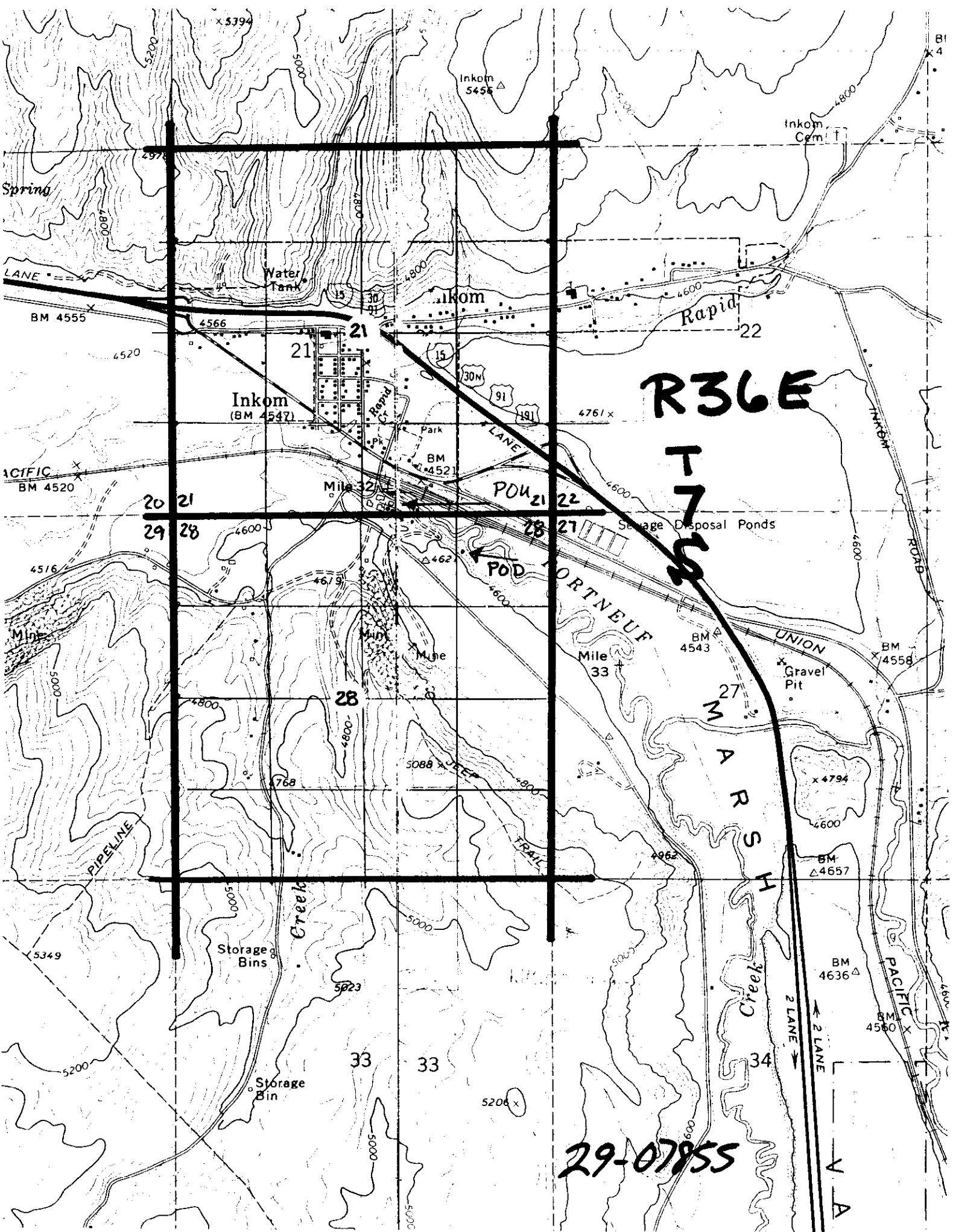
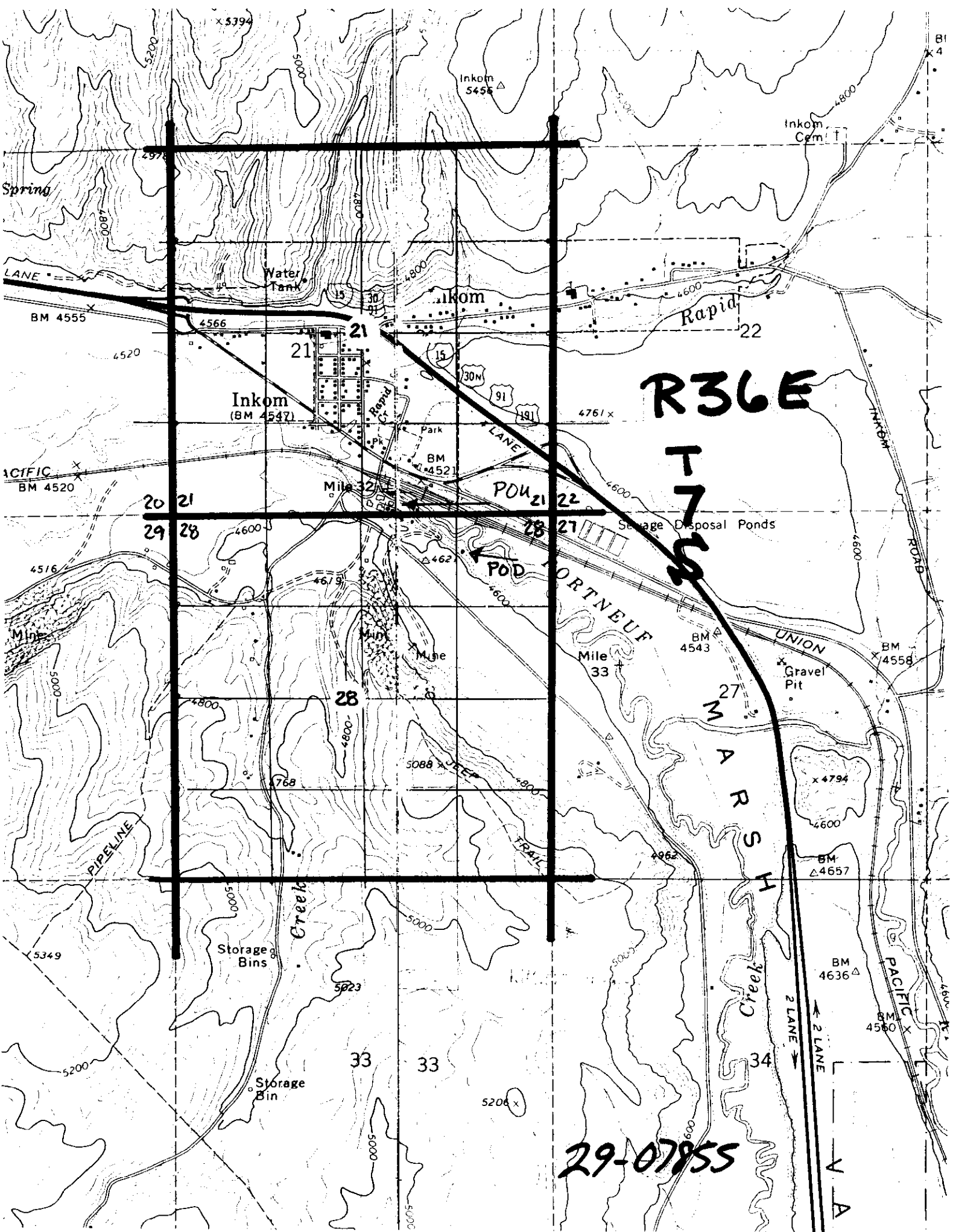
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POD

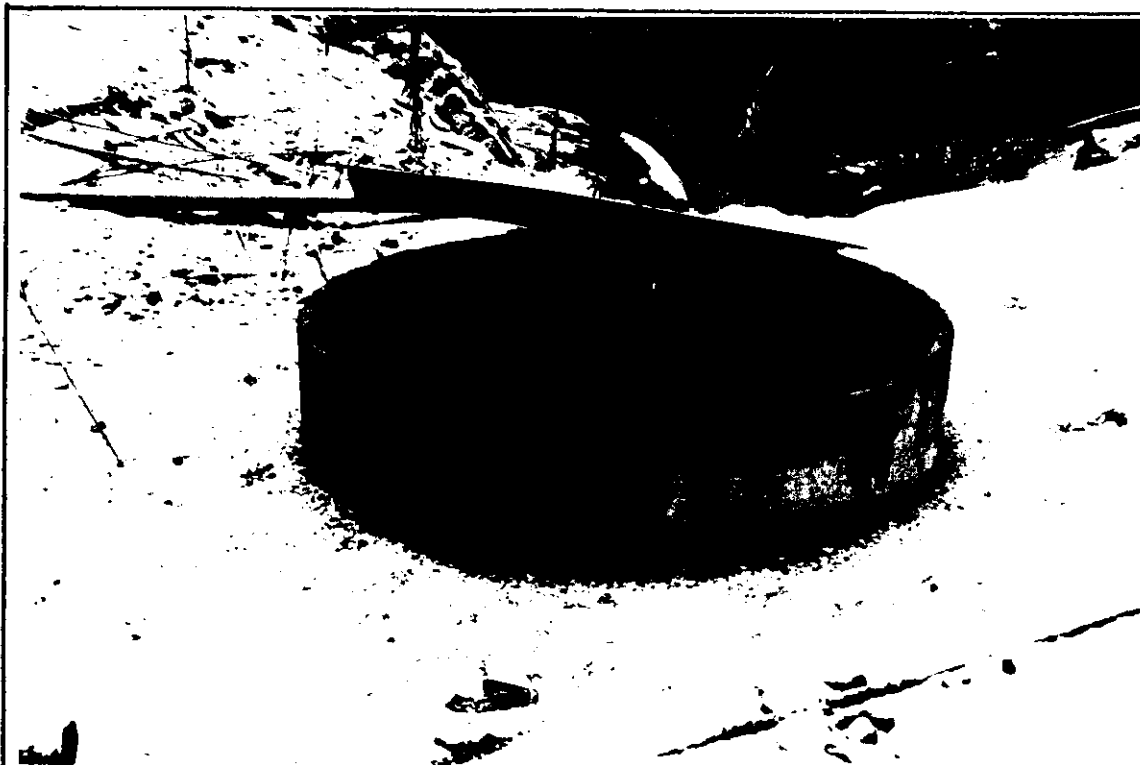
MARS HILL

29-07855



ASH GROVE CEMENT WEST, INC  
INKOM, IDAHO

1 of 1



PICTURE  
OF WELL  
PIT.



PICTURE  
OF 10"  
WELL,  
CHECK  
VALVE AND  
PRESSURE  
GAGE.

2 14 '85

29-7855

September 13, 1989

Permit No. 29-7855

Ash Grove Cement West, Inc.  
150 Cement Rd.  
Inkom, ID 83245

Dear Permit Holder:

We acknowledge receipt of your statement 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.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161, or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,

KEITH C. WILSON  
Sr. Resource Agent

KCW:lk

S T A T E   O F   I D A H O  
D E P A R T M E N T   O F   W A T E R   R E S O U R C E S

---

Statehouse  
Boise, Idaho 83720  
(208) 334-7900  
February 16, 1989

ASH GROVE CEMENT WEST INC.  
150 CEMENT ROAD  
INKOM, ID 83245

P E R M I T   A P P R O V A L   N O T I C E

RE: PERMIT NO.            29-07855

Dear Permit Holder:

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

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

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

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also

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enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed.

Sincerely,

GARY SPACKMAN, Supervisor  
Water Rights Permits Section

GS: SC  
Enclosures

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MAR 03 1989

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

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Idaho Falls, Idaho 83402  
(208) 525-7161

OCTOBER 27, 1988

IDAHO STATE JOURNAL  
P.O. BOX 431  
POCATELLO, ID 83204

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before NOVEMBER 21, 1988.

Yours truly,

Rita Bodell  
Secretary

Encl.

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NOTICE OF APPLICATION FOR WATER RIGHTS

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

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The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before NOVEMBER 21, 1988.

R. Keith Higginson, Director

Published 11/03/1988 & 11/10/1988

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