

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

OK JC 3/6/02
RECEIVED**FEB 15 2002**Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
29-2255C	A29-02255C	☐			☐
		☐			☐
		☐			☐
		☐			☐
		☐			☐

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) **Astaris Production LLC, a Delaware limited liability company**
10300 Olive Blvd., St. Louis, MO 83166
4. New Owner/Claimant(s) **FMC Idaho LLC, a Delaware limited liability**
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
c/o Rob Hartman, P.O. Box 4111
 New Mailing Address **Pocatello, Idaho 83205**
 City, State and ZIP Code
 New Telephone Number **(208) 236-8200**
 Date you acquired the property **February 1, 2002**

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

Richard Pasquier, Assistant Secretary of FMC Corporation, MEMBER of FMC IDAHO LLC, a Delaware limited liability company

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

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SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, **Astaris Production LLC**, a Delaware limited liability company, the Grantor, does hereby grant, bargain, sell and convey unto **Astaris Idaho LLC**, a Delaware limited liability company, the Grantee, whose address is 1735 Market Street, Philadelphia, Pennsylvania 19103, the following described real property, to-wit:

The property described in Exhibit A attached hereto and, by this reference, incorporated herein as if set forth in full, which property is located part in Power County and part in Bannock County, State of Idaho.

TOGETHER WITH all of Grantor's right, title and interest in and to mineral and oil and gas rights thereon and thereunder.

TOGETHER WITH all water rights appurtenant thereto, including but not limited to water right number 29-02255c.

TOGETHER WITH i) all other and singular tenements, hereditaments, appurtenances and improvements thereon or thereunto belonging, ii) all reversionary, underlying or other right, title and interest of Grantor in and to the rights-of-way of all public roads, streets, or ways, and of all railroads or easements, abutting upon said premises or any part thereof, and iii) all right, title and interest of Grantor in and to any and all lands lying beneath, or constituting the bed of any waterway or body of water, abutting upon said premises or any part thereof.

SUBJECT TO:

(i) existing building and zoning regulations, easements, rights-of-way, subdivision and deed restrictions and reservations, and all other matters of record similar to the foregoing;

(ii) matters which a survey or inspection of the premises would reveal;

(iii) the lien for local real property taxes for the current year which are not yet due and payable; and

(iv) unpatented mining claims and reservations or exceptions in patents or in Acts authorizing the issuance thereof.

TO HAVE AND TO HOLD the same, together with all rights and appurtenances to the same belonging, unto Grantee and its successors and assigns forever.

Grantor does hereby covenant that it and its successors shall and will WARRANT and DEFEND the title to said premises unto Grantee and its successors and assigns

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20202288

forever against the lawful claims of all persons claiming by, through or under Grantor but none other, excepting, however, the matters above set forth.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand effective as of the 1st day of February 2002.

ASTARIS PRODUCTION LLC

Jerry C. Sibley

By (print name): Jerry C. Sibley
Title: CEO

STATE OF)
County of St. Louis) ss.

On this 29th day of January, 2002 before me, Linda S. Nickelson, a notary public in and for said State, personally appeared Jerry C. Sibley, known or identified to me to be the CEO of Astaris Production LLC, the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

LINDA S. NICKELSON

Notary Public - Notary Seal

STATE OF MISSOURI

ST. Louis County

My Commission Expires: Apr. 7, 2002

Linda S. Nickelson
Notary Public

Residing at: St. Louis

My Commission Expires: April 7, 2002

2898667_1.DOC

EXHIBIT A

3-3

20202288

A parcel of land located in the SE ¼ of the SW ¼ of Section 6, and in Section 7, and in U.S. Government Lots 1, 2 and 3 in Section 18, all in T 7 S, R 34 E, Boise Meridian, Power County, Idaho; and also located in the West ½ of Section 8, T 7 S, R 34 E, Boise Meridian, Bannock County, Idaho; said parcel being more particularly described as follows:

Section 6 - SE¼ SW¼ and;

Section 7 - All of Section 7 and;

Section 8 - NW¼ SW¼ NW ¼, S½ S½ NW ¼, N½ SW¼, NW¼ SW¼ S'W¼ and;

Section 18 - U.S. Government Lots 1, 2 and 3, All in T 7 S, R 34 E, Boise Meridian, Idaho.

Said parcel containing 919.14 Acres, more or less.

270007

INSTRUMENT #	_____
TIME	1:07 PM
REQ. OF	Alliance
FEB 01 2002	
POWER COUNTY AM. FALLS	
CHRISTINE STEINLICH	
BY	<i>[Signature]</i>
DEPUTY	<i>[Signature]</i>

NO 20202288
RECORDED AT REQUEST OF
ALLIANCE TITLE & ESCROW
2002 FEB 1 PM 12 03
BOOK 807
PAGE 1
CLERK OF COUNTY IDAHO
LARRY J. JENSEN
RECORDER
FEB 1 2002

29-7488

29-2255C

29-2301



AMENDMENT OF REGISTRATION OF FOREIGN LIMITED LIABILITY COMPANY

(Instructions on back of application)

29-2255E
29-2284
2002 FEB 13 PM 2:15

SECRETARY OF STATE
STATE OF IDAHO

1. The name of the foreign limited liability company prior to this amendment is: _____

Astaris Idaho LLC

2. If the foreign limited liability company was required to adopt an assumed name in order to register in Idaho, the name the foreign limited liability company used in Idaho is: _____

3. The application for registration in Idaho was filed on: March 13, 2000

4. The foreign limited liability company's registration is amended as follows:
(check one or more)

- ☒ a. The name of the limited liability company has been changed to: _____
FMC Idaho LLC

If the new name is not available or permissible in Idaho, the name to be used in Idaho is: _____

- ☒ b. Other amendment: The address of the limited liability company's principal office is:
1735 Market Street, Philadelphia, PA 19103

5. Signature of authorized person:

Signature

Typed Name Richard Pasquier

Capacity Assistant Secretary of FMC Corporation, Member

g:\corpforms\amend_reg_foreign_llc.p65
Revised 01/2001

Secretary of State use only

IDAHO SECRETARY OF STATE
02/20/2002 05:00
CK: 872 CT: 2105 BH: 447250
1 @ 30.00 = 30.00 FOR LLC AM # 2

W11341

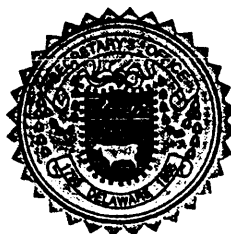
FILED/EFFECTIVE
2002 FEB 20 AM 11:08
SECRETARY OF STATE
STATE OF IDAHO

Delaware

PAGE 1

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THAT THE SAID "ASTARIS IDAHO LLC", FILED A CERTIFICATE OF AMENDMENT, CHANGING ITS NAME TO "FMC IDAHO LLC", THE SIXTH DAY OF FEBRUARY, A.D. 2002, AT 3:30 O'CLOCK P.M.



3186141 8320

020109286

Harriet Smith Windsor
Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 1620456

DATE: 02-19-02

CERTIFICATE OF AMENDMENT TO CERTIFICATE OF FORMATION
OF
ASTARIS IDAHO LLC

The undersigned, an authorized natural person, for the purpose of amending the Certificate of Formation of ASTARIS IDAHO LLC, a Delaware limited liability company (the "limited liability company"), under the provision and subject to the requirements of the State of Delaware, hereby certifies that the Certificate of Formation of the limited liability company is hereby amended as follows:

FIRST: The name of the limited liability company is FMC IDAHO LLC.

IN WITNESS WHEREOF, the undersigned has executed this Certificate on the 6th day of February, 2002.

/s/ Richard Pasquier
Richard Pasquier, Authorized Person

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RECEIVED

FEB 27 2002

HOLLAND & HART LLP
ATTORNEYS AT LAW

DENVER • ASPEN
BOULDER • COLORADO SPRINGS
DENVER TECH CENTER
BILLINGS • BOISE • CASPER
CHEYENNE • JACKSON HOLE
SALT LAKE CITY • SANTA FE
WASHINGTON, D.C.

SUITE 1400
101 SOUTH CAPITOL BOULEVARD
BOISE, IDAHO 83702-7714
MAILING ADDRESS
P.O. BOX 2527
BOISE, IDAHO 83701-2527

Idaho Department of Water Resources
TELEPHONE (208) 342-5000
FACSIMILE (208) 343-8869

LINDA B. JONES
ljones@hollandhart.com

February 26, 2002

Ms. Kari Lynn Townsend
Idaho Department of Water Resources
1301 North Orchard
Boise, Idaho 83706

Re: Change in Name
Change in Water Rights Ownership *A29-2301*
02255E
2284
11342
2255C

Dear Kari Lynn:

Enclosed for your records are a copy of the final Certificate of Name Change (Delaware) and Amendment of Registration (Idaho) changing the name of Astaris Idaho LLC to FMC Idaho LLC.

Sincerely,

HOLLAND & HART LLP

Linda
Linda B. Jones

LBJ:clm
Enclosures

2910839_1.DOC/12975.0023

*3-27-02 Called spoke w/ Linda's
secretary Connie. She'll
submit change form.*

*FAX'd print screens to her today.
4-1-02 Linda Jones called me.
She sent a copy of change to
Jennifer and to Kari Lynn. ~~2/2002~~*

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-2255C

WATER RIGHT NUMBER: 29-2255C

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	FMC CORPORATION C/O R L MILLS ENERGY MANAGER PO BOX 4111 POCATELLO, ID 83202 (208)232-6101
Attorney	RACINE OLSON NYE COOPER BUDGE PO BOX 1391 POCATELLO, ID 832041391 (208)232-6101
Current Owner	FMC IDAHO LLC C/O ROB HARTMAN PO BOX 4111 POCATELLO, ID 83205 (208) 236-8200

Priority Date: 05/22/1939

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
INDUSTRIAL	5/01 to 11/01	0.638 CFS	63.00 AF
	<u>Total Diversion:</u>	0.638 CFS	63.00 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4	Sec. 18, Twp 07S, Rge 34E, B.M.
POWER County		

Place of UseINDUSTRIAL Within POWER County

T07S R34E S07	SESW	T07S R34E S07	NESE
T07S R34E S07	NWSE	T07S R34E S07	SWSE
T07S R34E S07	SESE	T07S R34E S18	NENE
T07S R34E S18	NWNE		

Conditions of Approval:

1. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. 067 The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. 081 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.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-2255C

5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks:

1. General WATER RIGHT NO: 29-02255C, TRANSFER NO. 2818 CONFORMED ATTORNEY ADDRESS
DMS Industrial use is for mining, material processing and dust abatement.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 13, 2002

LINDA B JONES
HOLLAND & HART
PO BOX 2527
BOISE ID 83701-2527

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 29-2255C, 29-
2255E, 29-2284, 29-2301, 29-11342

Dear Ms. Jones:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) of Claim has been processed and the Department's records updated to reflect FMC Idaho LLC as the new claimant.

The enclosed report shows this change along with listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

Jennifer Crabtree
Technical Records Specialist

Enclosure