

02/18/2003

NOTICE OF ERROR
REPLY

RECEIVED
APR 28 2003
Department of Water Resources
Eastern Region

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-2255C

F M C CORP
PO BOX 4111
POCATELLO ID 83202
Telephone Number: (208)236-8200

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Period of use

2. Describe the changes you wish to make in the proposed recommendation:

Period of use should be 4/1 — 11/01

3. Give a brief explanation as to why you disagree with these portions:

*Start date of 5/1 is error. Believed to be
IDWR typographical error when Transfer No. 5359 issued.*

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 4/17/03

SIGNATURE: *J. P. Sievers*

Please print your name: J. P. SIEVERSON

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

02/18/2003

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-2255C
NAME AND ADDRESS: F M C CORP
PO BOX 4111
POCATELLO ID 83202

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.640 CFS
63.00 AFY

PRIORITY DATE: 05/22/1939

POINT OF DIVERSION:
T07S R34E S18 SWNWNE Lot 2 Within POWER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
INDUSTRIAL	05/01 11/01	0.640 CFS 63.00 AFY

PLACE OF USE: INDUSTRIAL 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 Lot 1	NENE
T07S R34E S18 Lot 2	NWNE		

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

03/20/2003

WATER RIGHT NO. 29-2255C

Owner Type	Name and Address
Current Owner	F M C CORP PO BOX 4111 POCATELLO, ID 83202 (208)236-8200
Attorney	RACINE OLSON NYE COOPER BUDGE PO BOX 1391 POCATELLO, ID 83204-1391 (208)232-6101
Original Owner	F M C CORP PO BOX 4111 POCATELLO, ID 83202 (208)236-8200

Priority Date: 05/22/1939

Basis: License

Status: Active

Source	Tributary
GROUND WATER	

Irrigation *4/01*

Beneficial Use	From	To	Diversion Rate	Volume
INDUSTRIAL	5/01	11/01	0.638 CFS	63 AFA
Total Diversion			0.638 CFS	63 AFA

Location of Point(s) of Diversion:

GROUND WATER	NWNE	Sec. 18	Township 07S	Range 34E	POWER County
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Place(s) of use:

Place of Use Legal Description: INDUSTRIAL POWER County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
07S	34E	7		SESW										
		18		NESE			NWSE			SWSE			SESE	
				NENE			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.
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. CHANGED OWNERSHIP PER REQUEST/JC/5-2-00 CHANGED OWNERSHIP PER REQUEST/JC/5-11-00
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Dates:

Licensed Date: 10/07/1983

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False