

LAW OFFICES OF

**RACINE, OLSON, NYE, BUDGE &
BAILEY
CHARTERED**

LOUIS F. RACINE, JR.
WILLIAM D. OLSON
W. MARCUS W. NYE
RANDALL C. BUDGE
JOHN A. BAILEY, JR.
JOHN R. GOODSELL
JOHN B. INGELSTROM
DANIEL C. GREEN
BRENT O. ROCHE
KIRK B. HADLEY
FRED J. LEWIS
MITCHELL W. BROWN
ERIC L. OLSEN
DAVID E. ALEXANDER
LISA M. CHRISTON
RICHARD A. HEARN, M.D.
LANE V. ERICKSON
PATRICK N. GEORGE
SCOTT J. SMITH
LISA A. WOOD, CPA
STEPHEN J. MUHONEN

CENTER PLAZA-CORNER FIRST & CENTER
POST OFFICE BOX 1391
POCATELLO, IDAHO 83204-1391

TELEPHONE (208) 232-6101
FACSIMILE (208) 232-6109

SENDER'S E-MAIL ADDRESS: rcb@racinelaw.net

BOISE OFFICE

CONRAD J. AIKEN
THEODORE C. PETERS
DEBORAH L. LEHOSIT

101 SOUTH CAPITOL
BOULEVARD
U.S. BANK PLAZA, SUITE 202
BOISE, IDAHO 83702
TELEPHONE: (208) 395-0011
FACSIMILE: (208) 433-0167

April 17, 2003

Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83707-9815

Re: *FMC Idaho, L.L.C.*

To Whom It May Concern:

On behalf of FMC Corporation, I am enclosing herewith a Notice of Error Reply pertaining to the following water rights:

A29-02284 (Plant Wells, No. 1 and No. 4)
A29-2301 (Plant Wells, No. 3 and No. 6)
A29-02255E (Lindley Farm)
A29-2255C (Wells Cargo Silica Mine)
A29-11342 (Pilot House)

FMC agrees with the proposed Recommendation for the first three listed rights. Right No. A29-2255C pertaining to the Wells Cargo Silica Mine is agreed with, except for the start date, which should be April 1 instead of May 1. This mistake is believed to be a typographical error when Transfer No. 5359 was approved. Right No. A29-11342 is agreed to except for the "other provisions" which indicate that this right is recommended in another claimant's name as Right No. 29-2338. Please provide a copy of that Recommendation. You will note in the Notice of Error Reply pertaining to this right, we have attached a copy of the Notice of Change of Water Right when this right was acquired by FMC from the City of Pocatello, together with the current Adjudication Claims Report, both of which support FMC as the owner.

RECEIVED
APR 28 2003
Department of Water Resources
Eastern Region

If you have any questions or require additional information, please contact me.

Sincerely,


RANDALL C. BUDGE

RCB:rr

Enclosures

cc: FMC Idaho, L.L.C.

Rob J. Hartman (w/encls.)

Jim Sieverson (w/encls.)