

01/17/2003

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

RIGHT NUMBER: 29-2284

NAME AND ADDRESS: F M C CORP
PO BOX 4111
POCATELLO ID 83202

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 4.500 CFS
3,257.900 AFY

PRIORITY DATE: 03/02/1949

POINT OF DIVERSION:

T06S R33E S12 SESESW Within POWER County

T06S R33E S13 NENWNW Within POWER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
INDUSTRIAL

PERIOD OF USE
01/01 12/31

QUANTITY
4.500 CFS
3,257.90 AFY

PLACE OF USE: INDUSTRIAL Within POWER County

T06S R33E S12	SWSW	T06S R33E S12	SESW
T06S R33E S12	SWSE	T06S R33E S12	SESE
T06S R33E S13	NENE	T06S R33E S13	NWNE
T06S R33E S13	SWNE	T06S R33E S13	SENE
T06S R33E S13	NENW	T06S R33E S13	NWNW
T06S R33E S13	SWNW	T06S R33E S13	SENW
T06S R33E S13	NESE	T06S R33E S13	NWSE

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: License

RIGHT NO. 29-2301 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED IN NENWNW, 13-06S-33E.

Items Under
This Flap

Refer to All

Astan's Claims
at Pocatello
Plant

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
29-2301	A29-02301				
29-2284	A29-02284				
29-2255E	A29-02255E				
29-11342	A29-11342				

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

SCANNED

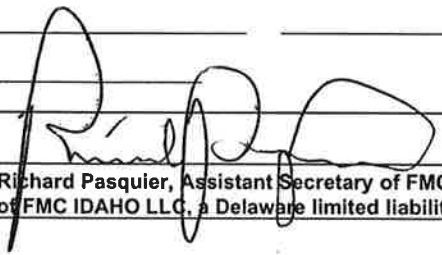
JAN 20 2006

PROVIDED

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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JAN 26 2006

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 29-2284

WATER RIGHT NUMBER: 29-2284

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	FMC CORPORATION PO BOX 4111 POCATELLO, ID 83202
Current Owner	FMC IDAHO LLC C/O ROB HARTMAN PO BOX 4111 POCATELLO, ID 83205 (208) 236-8200

Priority Date: 03/02/1949

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	/ to /	4.500 CFS	
	<u>Total Diversion:</u>	4.500 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4NW1/4	Sec. 13, Twp 06S, Rge 33E, B.M.
POWER County		
GROUND WATER	SE1/4SW1/4	Sec. 12, Twp 06S, Rge 33E, B.M.
POWER County		

Place of UseINDUSTRIAL Within POWER County

T06S R33E S12	T06S R33E S13
---------------	---------------

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JAN 20 2006



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

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JAN 20 2006

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

FILED/EFFECTIVE

2002 FEB 20 AM 11:08
SECRETARY OF STATE
STATE OF IDAHO

gcorp/foramend reg_foreign lic.p65
Revised 01/2001

Secretary of State use only

IDAHO SECRETARY OF STATE
02/20/2002 05:00
CK: 872 CT: 2105 BH: 447258
1 @ 30.00 = 30.00 FOR LLC AM # 2

W11341

SCANNED
JAN 20 2006

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.



Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

3186141 8320

AUTHENTICATION: 1620456

020109286

DATE: 02-19-02

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 o-change form.*

*FAX'd prin's screens to her today.
4-1-02 Linda Jones called me.
She sent a copy o-change to
Jennifer and to Kari Lynn. ~~again~~*

SCANNED

JAN 20 2003



AMENDMENT OF REGISTRATION OF FOREIGN LIMITED LIABILITY COMPANY

(Instructions on back of application)

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

Secretary of State use only

g:\corp\forms\amend_reg_foreign_llc.pdf
Revised 01/2001

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

SCANNED
JAN 20 2006

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.



Harriet Smith Windsor
Harriet Smith Windsor, Secretary of State

3186141 8320

AUTHENTICATION: 1620456

020109286

SCANNED

DATE: 02-19-02

JAN 20 2006

Volume p 2

$$8500 = \frac{(13.8 \times 1.9835)}{225.4 \text{ days}}$$

$$8500 = \frac{(19.01 \times 1.9835)}{225.4 \text{ days}}$$

2) WMO data in file 21-2284 indicate about 4.1 g/s diversion rate on 5/11/1998. (1900 gpm observed, estimated to be 657 g flow)

3) Plant capacity $\approx$ 11.5 g/s

4) Litium 2 = 8.5 g/s

5) Using Simpson's rather, two possible volumes are:

$$\begin{aligned} 4.1 \text{ g/s} \times 1.9835 \times 408 \text{ days} &= 3,318 \text{ acre ft} \\ 8.5 \text{ g/s} \times 1.9835 \times 311 \text{ days} &= 5,244 \text{ acre ft} \\ 8.5 \text{ g/s} \times 1.9835 \times 365 \text{ days} &= 6,154 \text{ acre ft} \\ 11.5 \text{ g/s} \times 1.9835 \times 225 \text{ days} &= 5,132 \text{ acre ft} \end{aligned}$$

Unless other data are produced I propose 5,250 acre feet as a conservative limit, rounded up from the second calculation

BAC 9/12/01

MEMORANDUM

To: Astaris Files
Fr: Bryce Contor
Date: 9/12/01

Re: Annual Diversion Volume

Astaris is supposed to be providing some data to aid in calculating diversion volume limitation. This is an alternate calculation to compare with the Astaris data, or to use it Astaris doesn't provide data.

1) Simplot volumes at neighboring plant were calculated based on average of two years' data plus three std. deviations. This worked out to 8,500 acre feet for combined capacity 13.8 gfs, max reported rate 10.5 gfs, combined licensed rates of 19.01 gfs.

$$\frac{8,500}{(10.5 \times 1.9835)} = 408 \text{ days}$$

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JAN 20 2008

Contor, Bryce

From: Contor, Bryce
Sent: Wednesday, August 29, 2001 2:10 PM
To: 'James_P_Sieverson@astaris.com'
Subject: RE: Gary Resh

Thanks.

The transfer documents will give us what we need on the Lindley well, I can get copies of those here.

The Pilot House well will have to be recommended to show the homes and businesses that were used in 1987 (we can't adjust for changes in use that were made after 1987). The important thing is that this process will preserve the water rights, you can then file transfers to convert them to irrigation for your facilities landscaping if you wish.

-----Original Message-----

From: James_P_Sieverson@astaris.com [mailto:James_P_Sieverson@astaris.com]
Sent: Wednesday, August 29, 2001 1:52 PM
To: bcontor@idwr.state.id.us
Subject: Gary Resh

Bryce - Gary Resh's office phone is 547-2700 Extension 17. Gary will be responsible for Dry Valley Mine water rights. I have responsibility for the Astaris (former FMC) Pocatello Plant water rights. I'm relatively inexperienced with water rights (I work as an Environmental Engineering Manager) so you will need to bear with me.

I received your fax. As you predicted, the photo was unusable. Some quick points/questions pertaining to your 06/22 letter (following your numbering):

1. I think that the point of diversion is likely correct but that the map showing the well location is wrong. I recommend that we refer to this as the Lindley Well rather than Racetrack Well.

2. I don't know what year FMC (now Astaris) acquired the Roy Lindley property so I'm not sure of the property's status in 1987 (I started work here in 1990). I also don't yet know if any Lindley family members are in this area.

For what it is worth, my Water Rights Summary notebook contains a "Notice of Claim to a Water Right Acquired under State Law" filed with the Twin Falls District Court that is stamped as received 09/14/92 for the 0.040 CFS irrigation water for 2 acres. As we discussed, this water is presently used for landscape watering - primarily trees.

3. The Plant relies on Wells #1, #4, #3, and #6 to supply water for Plant use. The other wells - Lindley (racetrack) and Pilot House are used to irrigate landscaping at this time, but I don't have the dates when the Lindley's sold their farm to FMC and when the Pilot House Restaurant closed but it was circa early 1998 (the well was used for their home and restaurant until closure). As we discussed, Well #5 was sealed during construction of a wastewater storage pond circa 1993.

4. I'll need to discuss this with Randy Budge and get back to you.

5. I'll start working on gathering these data.

6. As stated above (#3), the Pilot House well supplied drinking water and culinary water for 1 home and 2 businesses. FMC terminated those leases circa early 1998 and the businesses and home were relocated. The well is currently used to irrigate landscaping - primarily trees. This area

historically was the first Pocatello airport until 1956 or so. I am not aware that the well was ever used to irrigate any crops but was used from 1990 to 1998 for lawn and landscaping around the two businesses and for domestic/culinary use.

Pilot 11342 - 1.1 ds -
 use for landscape watering around the
 plant -

225575C -
 domestic running, set to slice mine.
 T5359 - trees watered

Lily farm well - slice mine - domestic
 4 burrows / two colonies - originally
 look at records to get good for volume.
 24th July a cross operation - will

well 6 and replace well #5

29-2228 2284 - 20969 4.5 ds 1949
 29-2301 22059 8.0
 4/24/195

FAX 236-8618 - fax
 Plant wells

8/29/01 Tim Sizemore 236-8212

31-4108

8/29/01 Gary Beutler 10:10 AM

ALICE Elies property -
Tesco - property was further west
than restaurant used.

Gay Pesh phone
Dry Valley mine

James - p - siverston@astaris.com

He will talk to Penny Bridge about Ben. Use claim

Jim Severson Astoria's 236-5658 6/17/01

xt 212

Msg on voice mail - please call
Monday re: water rights.

JBC

Contor, Bryce

From: Rounds, Lewis
Sent: Friday, June 22, 2001 11:10 AM
To: Contor, Bryce
Subject: RE: FMC exam, Parshall flume

When I was there, pump three was the only pump running and pump 1 was cycling but not very much. I do not think that we have much measurement data from them. I was able to get estimates from them one year while we were working on a flowmeter program. When Astaris purchased FMC the people I was dealing with left and nobody at Astaris claims to know anything about installing flowmeters. I have talked with Michael about them and I think we will be going there this fall when irrigation and dam inspections slow down. The flume while well constructed does not measure enough of the waste water that it can be used as an measuring device for the plant. The plan for flowmeters was to install three meters that would measure five wells or slightly change the main line from 1,3, and 5 so that only two flowmeters could be used.

-----Original Message-----

From: Contor, Bryce
Sent: Friday, June 22, 2001 8:18 AM
To: Rounds, Lewis
Subject: FMC exam, Parshall flume

In the EWMD files is a report of you inspecting a Parshall flume that handles the discharge of wells #1, #3, and #4. You reported about 1200 gpm which you said was "65% of what was being pumped."

Do you remember which of the pumps were running? The original licensing measurements were 1500 to 1800 gpm per pump, and this makes sense with a theoretical calculation. So my guess is only one pump was running? (65% of 1850 is 1200).

Also do you have any idea what annual volume would be? I've asked Terry to get me whatever is on WMIS and whatever pump card data they've returned.

Thaks.

Bryce Contor
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls, ID 83402
208 525 7161
bcontor@idwr.state.id.us

PROFILE™

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JAN 20 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

June 22, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Gary Resh
Rob Hartman
Astaris Idaho LLC
PO Box 4111
Pocatello, Idaho 83205

Re: Adjudication Claims 29-2255E, 29-2284, 29-2301, 29-11342

Dear Water Users:

We are reviewing adjudication claims in Basin 29, in preparation for making recommendations to the court. In looking at your claims, there are some things I find I need help with, and some things you may want to be aware of.

- Transferred except domestic*
1. Claim 29-2255E appears to be the right out of the "racetrack well." Its claimed point of diversion, however, is about a quarter mile east of where the Water Measurement District indicates the well is (see attached map). You may wish to amend this claim to show the correct location.
 2. From the aerial photo, I can't tell how much irrigation was taking place from the racetrack well in 1987. If you could provide an affidavit from someone who personally observed the irrigation, describing approximately how many acres, and where, were irrigated, that would help me.
 3. The Water Measurement District indicates that in 1998 you were using five wells – racetrack, Pilot House, #1, #3, and #4. Transfer 4128 (1994) appeared to authorize replacing well #5 with a new well, #6. It is not clear if this ever took place. Could you help me with a description of the wells currently used?
 4. License 29-2284 and 29-2301 are the rights that describe use in the plant itself. They total 8.5 cubic feet per second (cfs). It appears that the historical capacity of wells at the plant was about 11.5 cfs, and the current capacity of wells 1, 3, and 4 is about the same. You may wish to consider filing a "beneficial use" claim for the additional capacity.
 5. One of the elements of the water rights that I need to recommend is an annual volume. If you have historical data on the number of hours per day of

PROFIT

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JAN 20 2006

operation of the wells, and the number of days per year of operation of the plant, that would help me a great deal. The most valuable data will be data going back before 1987, and especially before 1963.

6. Claim 29-11342 is for the "Pilot House Well," purchased from the City of Pocatello. The city had filed for municipal purposes, but it appears the well is now used for domestic water in a few homes and businesses, and for some irrigation. Could you please help me clarify the current uses? I also need an affidavit if possible describing the amount (number of acres) and location of irrigation in 1987 or earlier.

Please call me at 525-7161 if you have questions. I will be out of the office until June 27 or 28.

Sincerely,

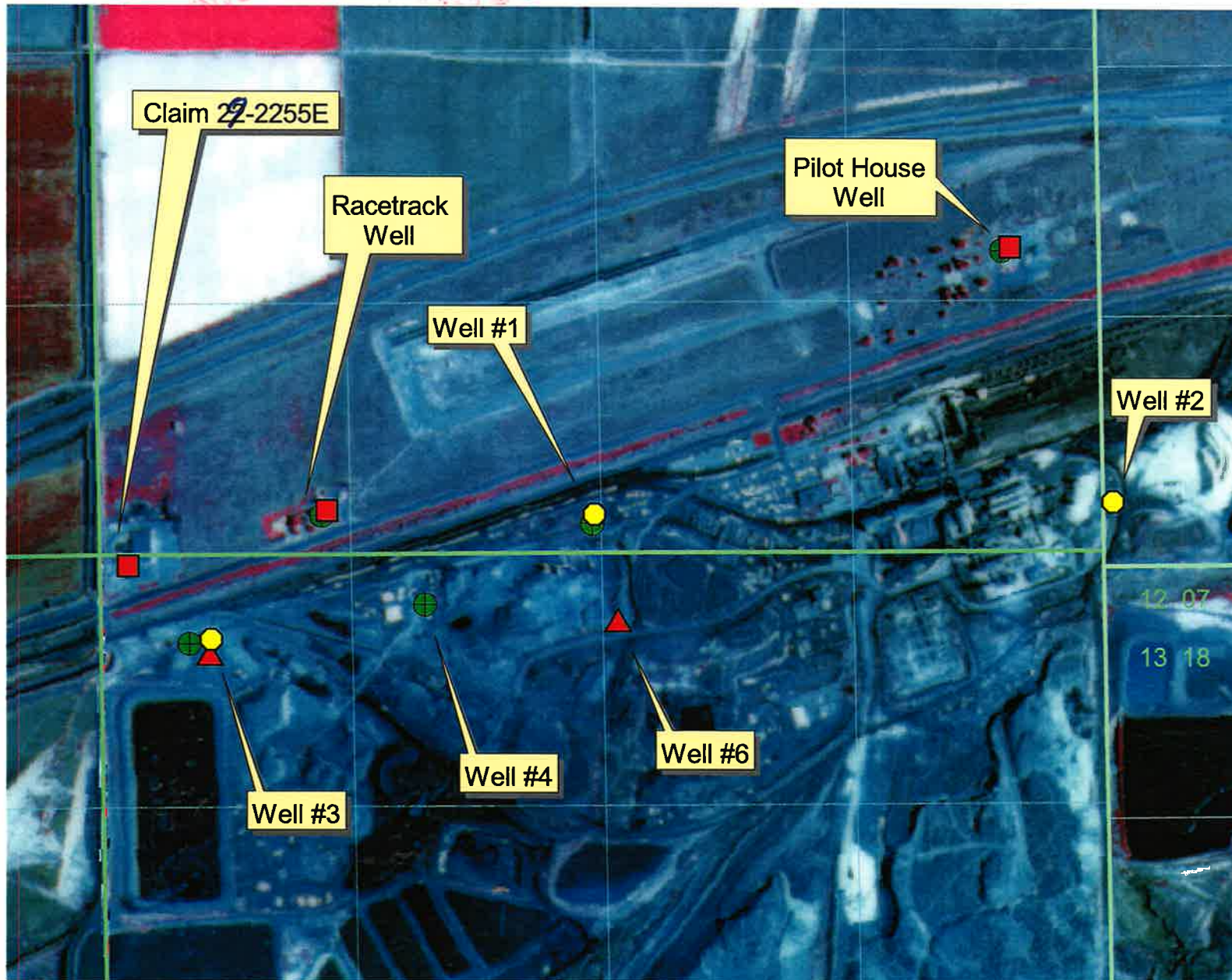


Bryce A. Contor
Senior Water Resource Agent

enclosure

SCANNED
JAN 20 2006

Astaris Wells at Pocatello Plant



[MSN Home](#) [Hotmail](#) [Web Search](#) [Shopping](#) [Money](#) [People & Chat](#)[Control](#)

The foundation for Microsoft® Windows 2000®?

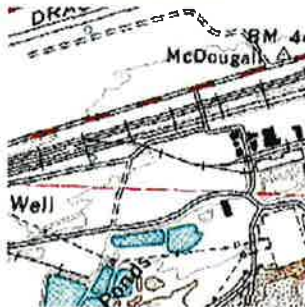
COM

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Locator

**6 km SW of Chubbuck, Idaho, United States** 28 Aug**Zoom** 1m

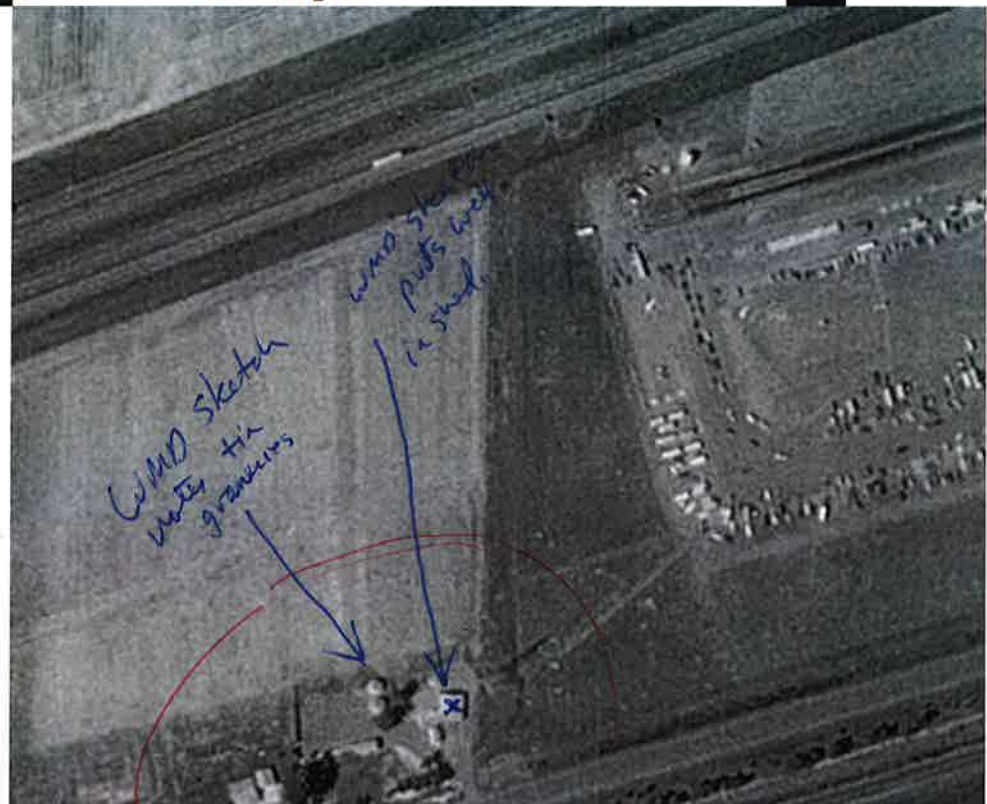
Other Imagery:

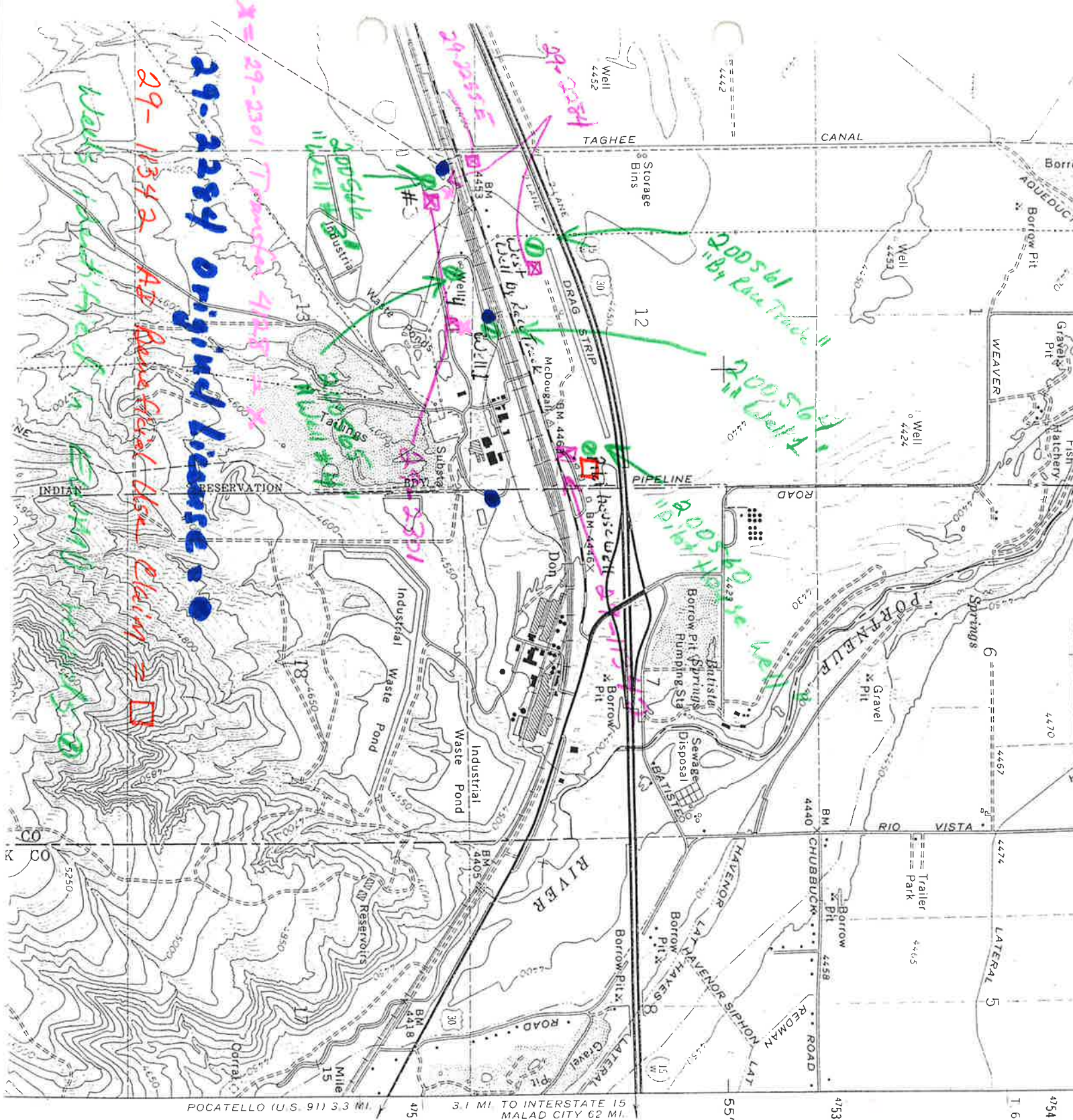
[USGS Topo Map](#)
01 Jul 1980

HomeAdvisor Links:

[Homes for sale in 83202](#)[Homes for sale in 83204](#)[Schools, Crime and](#)[Demographics for 83202](#)[Schools, Crime and](#)[Demographics for 83204](#)

Encarta Articles:

[Pocatello](#)SCANNED
JAN 20 2006Compare to sketch in
EWMD record 200561



29-2284 original license

29-11342 AD Reservoir Use Claiming

29-2301 Transfer 4/15/05

Claimed
Points of
Division

SCANNED
JAN 20 2006

RECEIVED

From East Water Measurement
District Records

FMC Correspondence
file Bac 6/24/01

MEMORANDUM

To: 29-2284
29-2255E
29-2301
29-11342
Fr: Bryce Contor
Date: 6/22/01

Re: Location of Pools

Attached is a Terasera photo which clarifies the location of the "Race track" well from EWMD sketch, a marked-up map from EWMD files (I did the marking) and a GIS layout.

It appears that Astaris is currently using six wells, "Race track well" (in location marked by EWMD), Well #1, Well #3, Well #4, Well #6, and Pilot House Well.

Claim 29-2255E appears to be diverted from race track well, not where claimed. Claim 29-11342 appears to be diverted from pilot house well. Claims 29-2284 and 29-2301

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JAN 20 2006

POD Memo 6/22/07 p2
Appear to be directed through Wells #1, 3,
4, and six. It appears that well #2
is not used.

29-2301 is the subject of Post-1987
Transfer 4128, which assigns it to wells #3
and #6. This can't be changed in the

It appears that 29-2255 should be
corrected to show the location of the
Race Trail well (consistent w/ transfer 2916).

29-2284 should be corrected to show
wells #1, 3, 4, 6. R

Beneficial use claim it filed should show
wells #1, 3, 4, 6.

Maps / GIS layers are filed w/ 22-2284.

Drye Co. Center

SCANNED

JAN 20 2006

MEMORANDUM

To: 29-2301
29-2284
29-11342

Fr: Bryce Contor

Date: 6/22/01

Re: Capacity of Wells

Please see attached GIS layout for EWM-
reported well locations.

Well #1

No measurement, lack of straight pipe.

Motor horsepower 125, discharge pressure 58 psi.
1952 licensing exam reports static WL = 68 ft,
drawdown 2 feet. Exam reports capacity $\approx$
1500 gpm but it is unclear if this is measured
or from operator interview. "Proof of beneficial
use" asserts "1800 gallons per minute, measured
with Orifice (sic)." (Copy in claim file 29-2284)

PROTECTED
JAN 28 2005

$$\text{GPM} = \frac{\text{Water HP} \times 3960}{\text{TDM}} = \frac{(125)(.75)(3960)}{(68 + 2 + 10 + 58 \times 2.31)}$$

(10 ft assumed friction, ^{75%}~~70%~~ assumed pump efficiency) = 1735 gpm

License exam 29-2301 appears to refer to well #4. Holder asserts 1800 gpm from calibrated output. Examiner reports motor = 150 hp but no & data well #1.

Well #4

$$GPM = \frac{(150)(0.75)(3960)}{(65 + 2 + 10 + 100 \times 2.31)} = 1446 \text{ gpm}$$

Not measured by EUMD. EUMD reports 100 psi, 65 ft depth to water. This is consistent w/ data for well #1. License examiner states "Capacity is the same as well #1."

Well #3

Apparently no longer used. Proof of beneficial use asserts 2000 gpm measured with orifice.

Well #2

Memo 6/22/01 p 2

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JAN 20 2006

$$GPM = \frac{(150)(0.75)(3960)}{(65 + 2 + 10 + 58 \times 2.31)} = 2112 \text{ GPM}$$

Not measured by EUMD. Not running at time of EUMD exam, no discharge pressure recorded. Assume lower limit = same capacity as calc. for well #3 (same motor horsepower). Calculate upper limit at discharge pressure reported for well #1.

Well # 6
Memo 6/22/01
p 3

WMD has no record. Transfer 4128 assets will be 150 horse power. Assume range of 1450 - 2100 gpm from calculations for well # 3 and well # 4.

Racetrack Well

No measurement, no pressure reported. EUMD reports 40 hp motor, < 15 acres irrigation.

$$* GPM = \frac{(40)(.75)(3960)}{(65 + 2 + 10 + 60 \times 2.31)} = 551 \text{ gpm}$$

$$15 \times 0.02 = 0.30 \text{ cfs} \quad * \quad 0.30 \text{ cfs} \times 448.8 = 135 \text{ gpm}$$

Pilot Lease Well

No meas, no pressure. EUMD reports 20 hp motor, < 5 acres irrigation

$$* GPM = \frac{(20)(.75)(3960)}{(65 + 2 + 60 \times 2.31)} = 276 \text{ gpm} \approx 0.6 \text{ cfs}$$

$$5 \times 0.03 = 0.15 \text{ cfs} \quad 0.15 \text{ cfs} \times 448.8 \approx 68 \text{ gpm}$$

* For small motors/pumps like these maybe pump eff. should be lower

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JAN 20 2008

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JAN 20 2006

*All water use less evaporation flow through here in winter. During summer water is diverted before reaching flume for irrigation of company land escaping during visit approximately 65% of water being pumped was going through flume. (Lewis Bounds exam 5/13/1996)

Notes from FUMO record 200564 regarding Marshall Flume reading of = 1200 gpm (2.7 g/s)

29-2301	per T 4128	4.0 g/s	Total 8.54 g/s
29-2284	original flume	4.5 g/s	
29-2255E	per T 2816	0.04 g/s	
		(calculated 4.5 g/s)	

Total Lined

7570 - 5220 gpm = 16.9 - R.3 cfs

Well #1	1735 gpm	11.8 cfs
Well #3	1446 gpm	
Well #4	2112 gpm	
Well #6	1450-2100 gpm	
Placeback well	551 gpm	
Pilot House Well	276 gpm	

Total Capacity

Memo 6/22/01 4

Memo 6/22/01 5-

$$\frac{1200 \text{ gpm}}{0.65} = 1850 \text{ gpm}$$

It appears not all wells were running at time of exam, or that Lewis' estimate of 65% is off. See attached e-mail.

Original Capacity from exams

Licence exam 22-2284, copy in AS file 29-2284

Well #1 1500 gpm (engineer) 1800 gpm (witnesses)
Well #2* 350 gpm (engineer)
Well #3** 1500 gpm (engineer) 2000 gpm (witnesses)

Licence exam 22-2301, copy in AS file 29-2301

Well #4 1800 gpm (licence) 1800 gpm (witnesses)

Licence 29-2255 F

(remaining open after 2916) 18 gpm

* See lower left corner of map page

** Affidavits call this #2 but I assume with purchase of Slight well, this was renumbered #3

JAN 20 2006

Memo 6/22/01 p 6

Evidence of Ben Use in 29-13142

- Claim asset has is Pocatello city well # 11, old license against given cap. at 1.11 g/s

- Exhibit "A" is "Summary of John Pentering to city of Pocatello well # 11 Dec 1953 by James N. Seabrook."

- SWL 65.5 ft

- Pumping test 220 gpm 1951, July 22
- Pumping test 230 gpm July 24, 1951

- Affidavits indicate use in Pilot House Restaurant, Green Isp. Service, & other known through 1960s - 1970s -

- Use "Exhibit A" to evidence capacity of 230 gpm $\approx$ 0.51 cfs.

- Overlapping/competing claims review (see file 29-11342) proposes Pilot House be recommended at 0.5 g/s

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JAN 20 2003

Memo 6/22/01 p 7

Original
Summary of Capacity

- 29-2255E stands alone based on transfer / on the fact that it is not connected to plant. (Race track well)
- 29-13142 stands alone based on history of purchase for City of Pocatello (see file) (Pilot House well).

- Wells associated with plant as follows:

# 1	1500 - 1800	GPM
# 2	350	GPM
# 3	1500 - 2000	GPM
# 4	1800	GPM
	5150 - 5950	GPM
	11.47 - 13.26	cfs

Proposal

- Invite Astari's to file an use claim for
 $11.47 - 8.54 \text{ (see p 4)} = 2.93 \text{ cfs}$

- Invite Astari's to amend claim 29-13142 to show a nature of use to current uses. Require

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JAN 20 2006

New 6/22/01 p8

Documentation of migration as GIS is inconclusive.

- Invite Astor's to amend 29-2284 & include all current PODs.

Debra A. Connor

(Note that EWD exams and GIS layouts are only included with copy in 29-2284)

SCANNED
JAN 20 2003

Contor, Bryce

From: Contor, Bryce

Sent: Friday, June 22, 2001 8:18 AM

To: Rounds, Lewis

Subject: FMC exam, Parshall flume

In the EWMD files is a report of you inspecting a Parshall flume that handles the discharge of wells #1, #3, and #4. You reported about 1200 gpm which you said was "65% of what was being pumped."

Do you remember which of the pumps were running? The original licensing measurements were 1500 to 1800 gpm per pump, and this makes sense with a theoretical calculation. So my guess is only one pump was running? (65% of 1850 is 1200).

Also do you have any idea what annual volume would be? I've asked Terry to get me whatever is on WMIS and whatever pump card data they've returned.

Thaks.

Bryce Contor
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls, ID 83402
208 525 7161
bcontor@idwr.state.id.us

6/22/2001

NAME_1	FMC CORPORATION	ADRES_ID	134
		POD	06S 33E 12 NESE
NAME_2	C/O KW TANDY- PURCHASING MANAGER	DIV_RATE	1.1
		UNITS	CFS
ADDRESS_1	PO BOX 4111	SURF_FLG	
		CONTACT	
ADDRESS_2		COMMENTS	
CITY	POCATELLO		
ST	ID		
ZIP	83202	SITE_VISIT	
PHONE	2082326101	EXAMINER	
REGPOD98		5 SITE_TAGNO	
RECNO	200560		
WRNUMBER	A29-11342		

Old Pilot house well

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JAN 20 2003

 From East Water Measurement
 District Records

 FMC record 200560
 6/21/2001 BAC

WATER MEASUREMENT DISTRICT
FIELD REPORT

DISTRICT

RECORD NUMBER

SITE DATA:

EXAMINER (inv_name) L. Bonds

EXAM DATE 05-13-95 DIVERSION NAME Old Pilot House Well
(site_visit) (div_name)

GPS FILE 2051315A SITE TAG NUMBER A0007746
(gps_filnam) (site_tagno)

GPS OFFSET (offset) 20' NS

TAG LOCATION (tag_locat) Pilot House 35' SW

POD LEGAL (pod) T 6 N (S) R 33 E, Sec 12, SE NE SE

DISTRICT MEASUREMENT CAPABILITY (std_rcmd):

SONIC (s) SONIC/DIG (sd) SONIC @ PVT (sp)

COLLINS (c) PYGMY (p)

MEASUREMENT RECOMMENDATIONS (op_num):

PCC (2) HOUR METER (7) IRR. FLOWMETER (1)

ALTERNATE (3) OTHER FLOWMETER (8) CRP (4)

AMEND CLAIM (A) OPEN CHANNEL DEVICE (4)

SUITABLE FOR PCC even if other method selected (pcc_ok) YES NO

TRACKING will be required (trkng_reqd) YES NO

Well has ACCESS PORT for water level meas. (wl_access) YES NO

FLOWMETER installation poss. w/o major change (qmtr_ez) YES NO

FOLLOW-UP DATE (folup_date) 1999

OWNER/OPERATOR INFORMATION

OWNER (name) ERC (134) PHONE

ADDRESS CEL PHONE

OPERATOR (contact) PHONE

ADDRESS CEL PHONE

SCANNED

JAN 20 2006

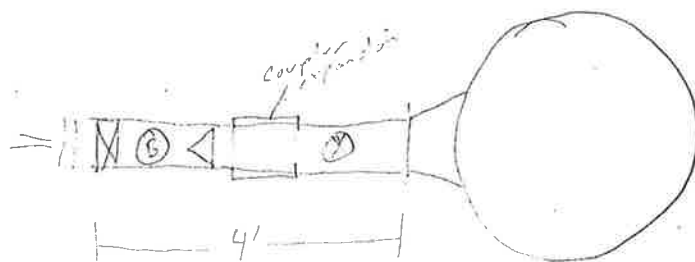
From East Water Measurement
District Records

PUMPING PLANT SKETCH

VALVE	=	
CHECK VALVE	=	
AIR VAC	=	
PRESS. RELIEF	=	
INDIVE/UPDIVE	=	
HOSE BIB	=	
PRESS. GAGE	=	
WELL ACCESS	=	



Inside Building



SCANNED

JAN 20 2006

 From East Water Measurement
 District Records

WELL/PUMP INFORMATION:

DEPTH OF WELL: _____ DEPTH OF BOWLS: _____

WATER LEVELS:

PRE-SEASON STATIC: _____ DATE MEAS: _____
(swl_pre) (swlpredate)DURING-SEASON STATIC: _____ DATE MEAS: _____
(swl_mid) (swlmidddate)POST-SEASON STATIC: _____ DATE MEAS: _____
(swl_post) (swlpstdate)DYNAMIC WATER LEVEL: _____ DATE MEAS: _____
(pmpng_wl) (pwl_date)

DOES STATIC WATER LEVEL DROP OR RISE OVER SEASON? YES NO

DOES ANOTHER WELL SPECIFICALLY INTERFERE WITH THIS WELL? YES NO

PUMP AND MOTOR INFORMATION:

WELL MOTOR

MFG: WestinghouseSERIAL: 7505HP: 20

BOOSTER 1 MOTOR

MFG: _____

SERIAL: _____

HP: _____

BOOSTER 2 MOTOR

MFG: _____

SERIAL: _____

HP: _____

WELL PUMP

MFG: PeerlessSERIAL: NATYPE: VERT T CENT SUBMER
(pump_type) (v) (c) (s)

BOOSTER 1 PUMP

MFG: _____

SERIAL: _____

TYPE: _____ VERT T CENT SUBMER

BOOSTER 2 PUMP

MFG: _____

SERIAL: _____

TYPE: _____ VERT T CENT SUBMER

UTILITY KWH METER INFORMATION:

UTILITY: Idaho Power
(utility)POLE #: _____
(pole_no)

MAX KW DEMAND _____

KILOWATT HRS 84107 x 1
(kwh_1)
(use date of exam for "kwh1_date")UTILITY ACCOUNT NUMBER _____
(acct_no)KWH METER SERIAL: 82 856 975
(pwrmt_rsn)METER MFG: GE
(pwrmt_rmf)Kh DISK CONSTANT 21.6
(kh)MULTIPLIER 1
(disk_mult)

From East Water Measurement
District Records

SYSTEM DESCRIPTION/NARRATIVE COMMENTS:

SYSTEM TYPE Domestic - irrigation
(system_type)

COMMENTS TO DATA-ENTER (exam_notes):

FILE-ONLY COMMENTS:

Provides water for domestic irrigation of domestic
2" pipe from well to domestic water used for drinking and
irrigation and small section of pipe 4.5 miles

From East Water Measurement
District Records

I certify that the above information is true and correct to the best
of my knowledge and ability and the measurements taken and recorded
are in accordance with the standards and specifications of the
equipment used.

Signature _____ Date _____

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JAN 20 2006

EASTERN WATER MEASUREMENT DISTRICT

SUPPLEMENTAL DATA FORM A

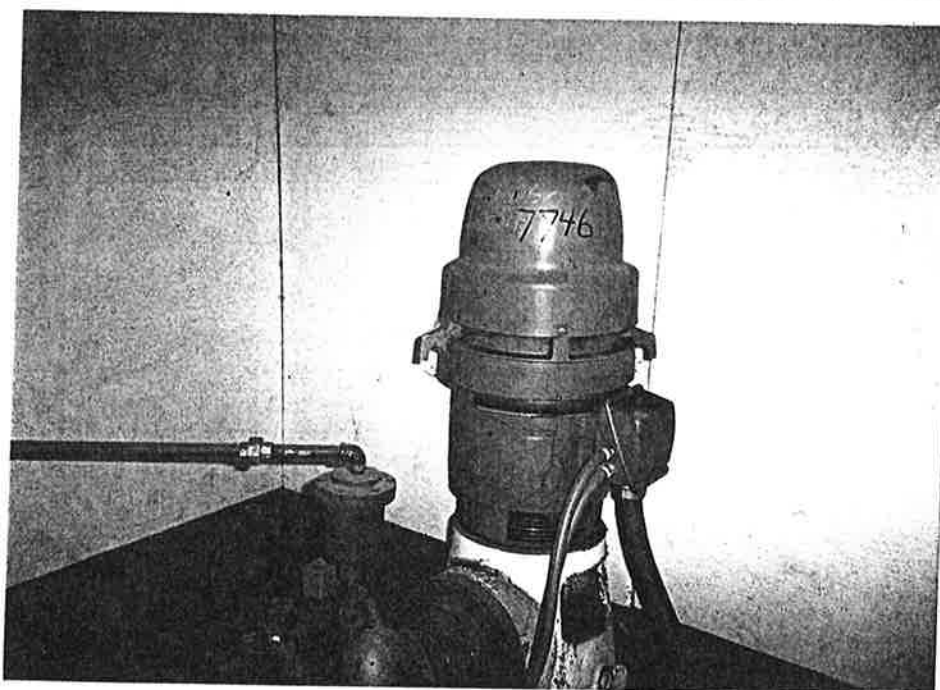
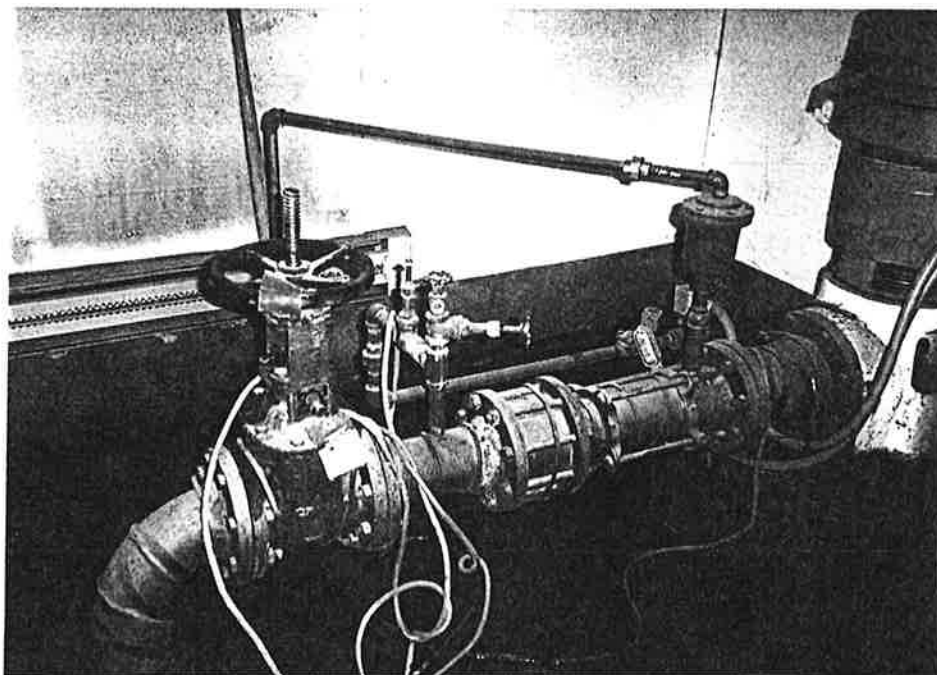
SKETCH OF IRRIGATED LANDS AND MAJOR COMPONENTS OF DELIVERY SYSTEM/S

	crop	acres
1		
2		
3		
4		
total		

 From East Water Measurement
 District Records

SCALE 1:24,000

JAN 20 2006



From East Water Measurement
District Records

PERMIT
NUMBER

SCANNED

JAN 20 2006

NAME_1	FMC CORPORATION	ADRES_ID	134
		POD	06S 33E 12 SESWSW
		DIV_RATE	0.638
NAME_2	C/O KW TANDY- PURCHASING MANAGER	UNITS	CFS
ADDRESS_1	PO BOX 4111	SURF_FLG	
		CONTACT	
ADDRESS_2		COMMENTS	
CITY	POCATELLO		
ST	ID		
ZIP	83202	SITE_VISIT	
PHONE	2082326101	EXAMINER	
REGPOD98	5	SITE_TAGNO	
RECNO	200564		
WRNUMBER	A29-02255C		

NO FIELD
EXAM?
TK
6-4-98
IN NEXT
FILE

Wells 1, 3, 4

From East Water Measurement
District Records

FMC record 200564
Bac 6/24/2001

PROFILED

SCANNED
JAN 28 2006

Open Channel Flow Measurements
(Attach To WMD Field Form)

Site Tag Number- Combined wells 1,3,4 Owner- FMC

Record Number- combined wells 1,3,4 Date- 05-13-98

Examiner- L. Rounts

Installed Measuring Device- Milltronics Multiranger plus 1211 gpm
Honey well 1216 gpm totalizer 2242 x 1000 Data logger installed

Hydrographer Measurement- 1187 gpm

Observations About Current Conditions- Flume is clean and appears
well maintained

Information From Interview With Operator- _____

90 to 95 % of all water used goes through this
flume - but is evap and potable - irrigation and plant
use not recorded

Equations Used For Measurement- Table 7 "Water Measurement" by Correll
C. L. Hanson 5 1/2 Parshall flume depth 5 7/8 inches
= 2.65 cfs or 1187 gpm

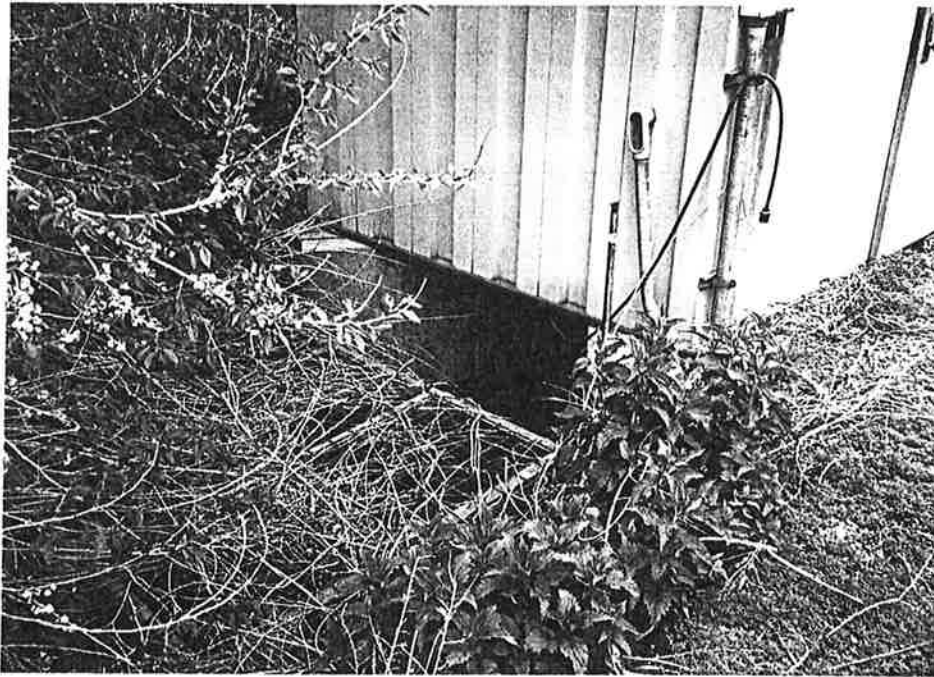
Total Flow Through Diversion- ~1200 gpm

Notes For Data Entry- Flows to river

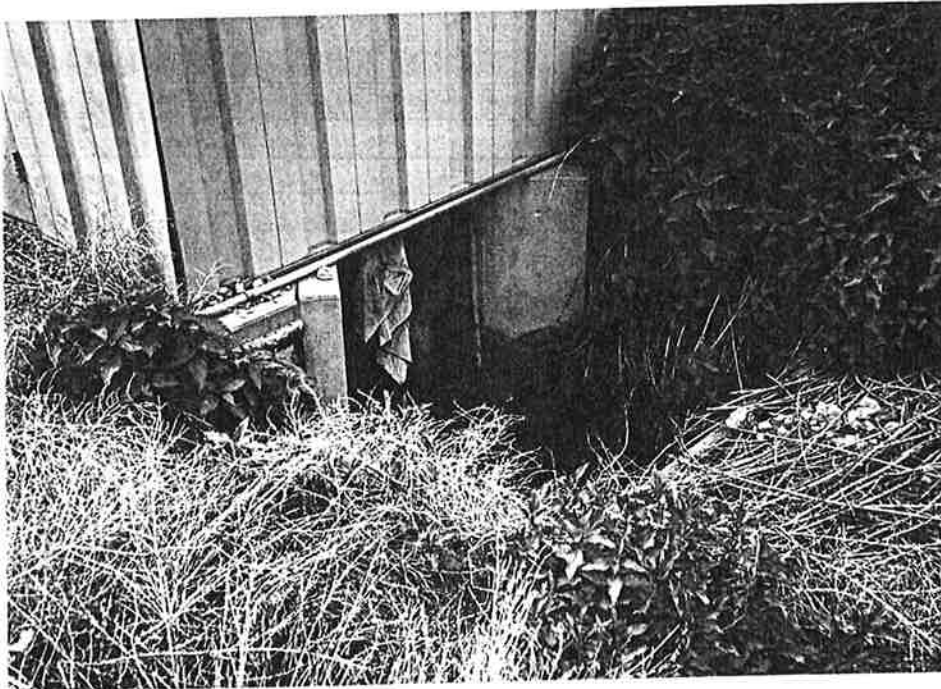
Notes For File Only- All water use less evaporation flow through
here in winter. during summer water is diverted
before reaching flume for irrigation of company landscaping
during visit approximately 65% of water being pumped was
going through flume

SCANNED
JAN 20 2006

From East Water Measurement
District Records



Entrance
to flume



Exit From
Flume

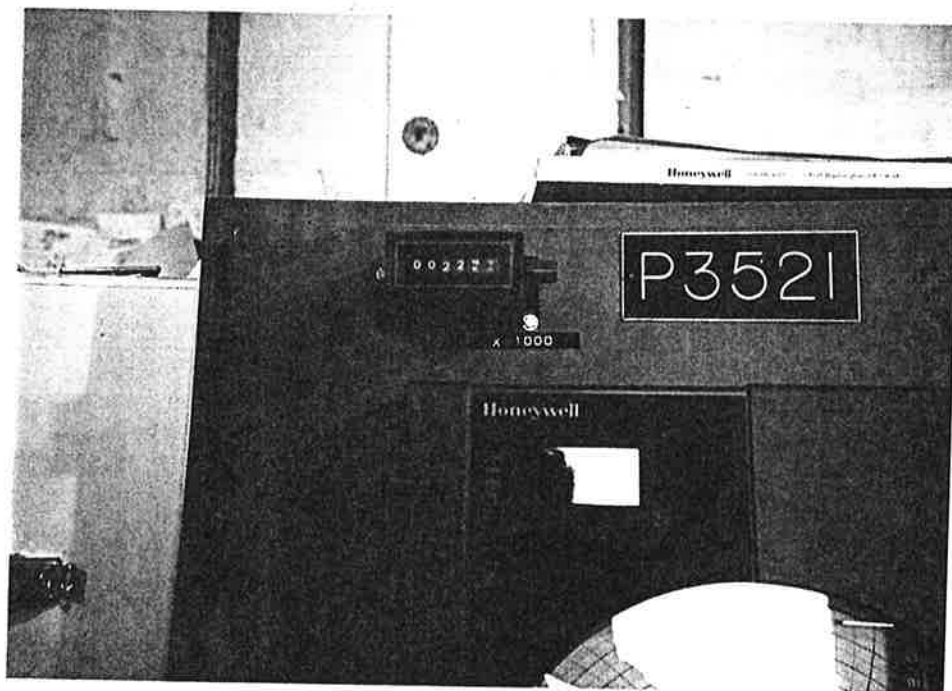
From East Water Measurement
District Records

PERMIT
NUMBER

JAN 20 2006



Flow
meter



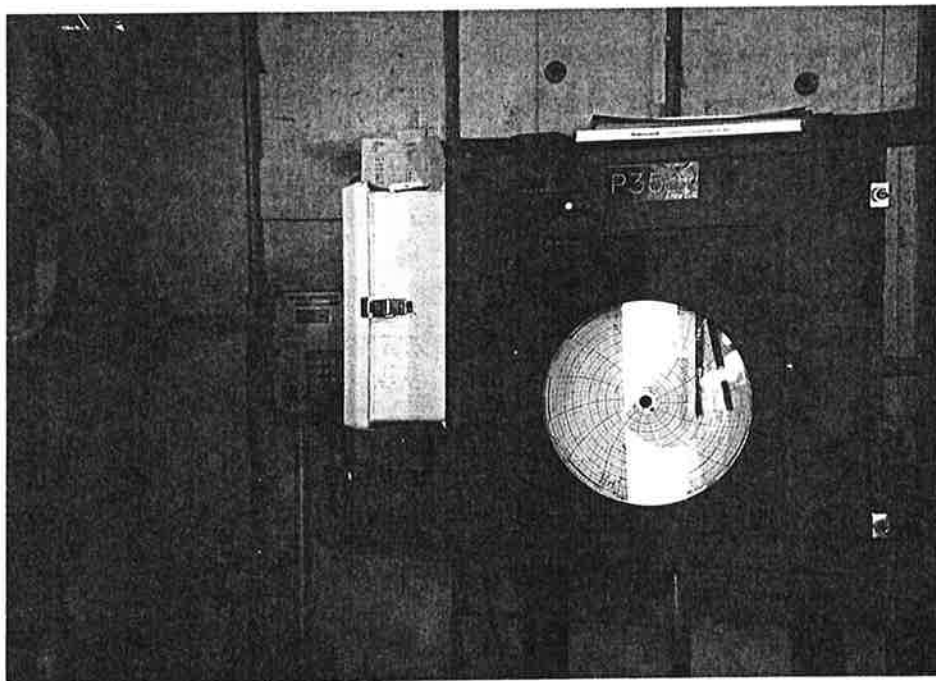
Flow
totalizer

From East Water Measurement
District Records

PERMIT
NUMBER
SCANNED
JAN 20 2006



Flume
cover
inside building



Flume
monitor

From East Water Measurement
District Records

PERMIT
NUMBER

SCANNED
JAN 20 2005

WATER MEASUREMENT DISTRICT
FIELD REPORT

DISTRICT Eastern

RECORD NUMBER 200564

SITE DATA:

EXAMINER (inv_name) L. Rourke

EXAM DATE 05-13-98
(site_visit)

DIVERSION NAME FMC Well #1
(div_name)

GPS FILE 2051317A
(gps_filnam)

SITE TAG NUMBER 40007748
(site_tagno)

GPS OFFSET (offset) 7' Above

TAG LOCATION (tag_locat) Pole in fence SE corner

POD LEGAL (pod) T 6 N (S) R 33 E, Sec 12, SE SW SW

DISTRICT MEASUREMENT CAPABILITY (std_rcmd):

SONIC (s)

SONIC/DIG (sd)

SONIC @ PVT (sp)

COLLINS (c)

PYGMY (p)

See notes

MEASUREMENT RECOMMENDATIONS (op_num):

PCC (2)

HOUR METER (7)

IRR. FLOWMETER (1)

ALTERNATE (3)

OTHER FLOWMETER (8)

CRP (9)(4)

AMEND CLAIM (A)

OPEN CHANNEL DEVICE (B)(9)

SUITABLE FOR PCC even if other method selected (pcc_ok)

YES NO

TRACKING will be required (trkng_reqd)

YES NO

Well has ACCESS PORT for water level meas. (wl_access)

YES NO

FLOWMETER installation poss. w/o major change (qmtr_ez)

YES NO

FOLLOW-UP DATE (folup_date) 1999

OWNER/OPERATOR INFORMATION

OWNER (name) FMC (134)

PHONE _____

ADDRESS _____

CEL PHONE _____

OPERATOR (contact) _____

PHONE _____

ADDRESS _____

CEL PHONE _____

From East Water Measurement
District Records

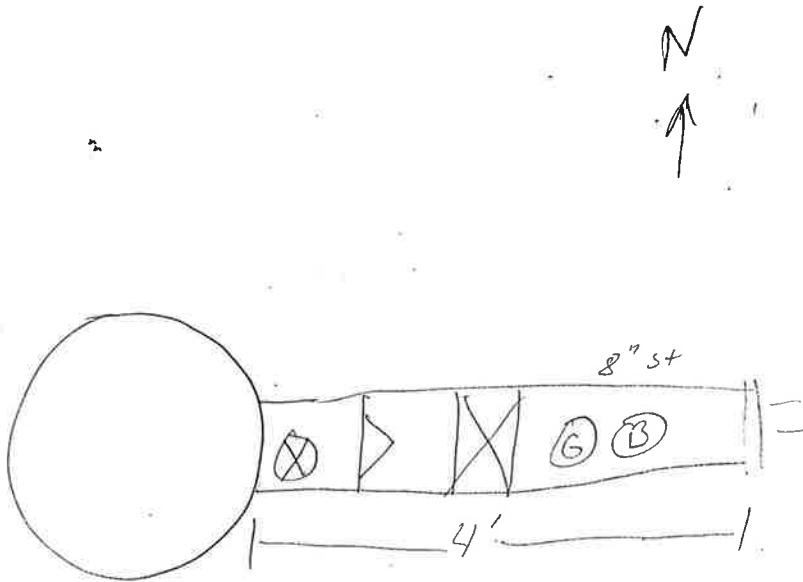
*FMC record 200564
BAC 6/21/01*

SCANNED

JAN 20 2006

PUMPING PLANT SKETCH

VALVE	=	
CHECK VALVE	=	
AIR VAC	=	
PRESS. RELIEF	=	
INDIVE/UPDIVE	=	
HOSE BIB	=	
PRESS. GAGE	=	
WELL ACCESS	=	



 From East Water Measurement
 District Records

SCANNED
 JAN 20 2006

WELL/PUMP INFORMATION:

DEPTH OF WELL: _____ DEPTH OF BOWLS: _____

WATER LEVELS:

PRE-SEASON STATIC: _____ DATE MEAS: _____
(swl_pre) (swlpredate)DURING-SEASON STATIC: _____ DATE MEAS: _____
(swl_mid) (swlmiddade)POST-SEASON STATIC: _____ DATE MEAS: _____
(swl_post) (swlpstdate)DYNAMIC WATER LEVEL: _____ DATE MEAS: _____
(pmpng_wl) (pwl_date)

DOES STATIC WATER LEVEL DROP OR RISE OVER SEASON? YES NO

DOES ANOTHER WELL SPECIFICALLY INTERFERE WITH THIS WELL? YES NO

PUMP AND MOTOR INFORMATION:

WELL MOTOR

MFG: US motorSERIAL: 1397725HP: 125

BOOSTER 1 MOTOR

MFG: _____

SERIAL: _____

HP: _____

BOOSTER 2 MOTOR

MFG: _____

SERIAL: _____

HP: _____

WELL PUMP

MFG: PeerlessSERIAL: N/ATYPE: _____ VERT T CENT SUBMER
(pump_type) (v) (c) (s)

BOOSTER 1 PUMP

MFG: _____

SERIAL: _____

TYPE: _____ VERT T CENT SUBMER

BOOSTER 2 PUMP

MFG: _____

SERIAL: _____

TYPE: _____ VERT T CENT SUBMER

UTILITY KWH METER INFORMATION:

UTILITY: N/A
(utility)POLE #: _____
(pole_no)

MAX KW DEMAND _____

KILOWATT HRS _____
(kwh_1)

(use date of exam for "kwh1_date")

UTILITY ACCOUNT NUMBER _____
(acct_no)KWH METER SERIAL: _____
(pwrmttr_sn)METER MFG: _____
(pwrmttr_mfg)Kh DISK CONSTANT _____
(kh)MULTIPLIER _____
(disk_mult)

 From East Water Measurement
 District Records

JAN 20 2006

SYSTEM DESCRIPTION/NARRATIVE COMMENTS:

SYSTEM TYPE Industrial
(system_type)

COMMENTS TO DATA-ENTER (exam_notes):

FILE-ONLY COMMENTS:

pipe pressure 58 70 feet
lack of straight pipe make measurement unreliable.
would require digging up road or new installation

From East Water Measurement
District Records

I certify that the above information is true and correct to the best
of my knowledge and ability and the measurements taken and recorded
are in accordance with the standards and specifications of the
equipment used.

Signature _____ Date _____

SCANNED
JAN 20 2006

EASTERN WATER MEASUREMENT DISTRICT

SUPPLEMENTAL DATA FORM A

SKETCH OF IRRIGATED LANDS AND MAJOR COMPONENTS OF DELIVERY SYSTEM/S

	crop	acres
1	_____	_____
2	_____	_____
3	_____	_____
4	_____	_____
total		_____

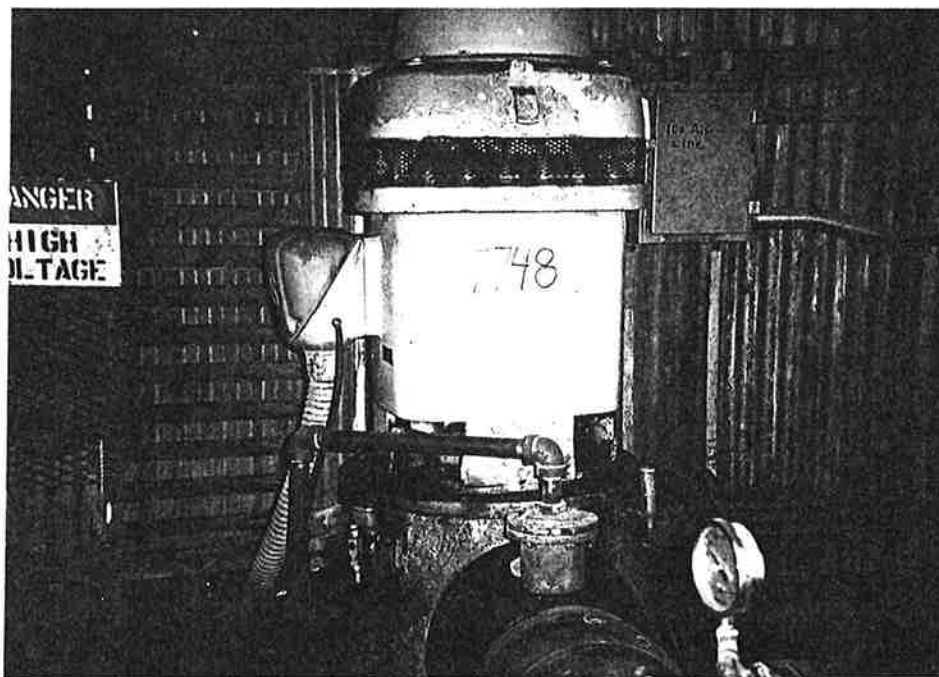
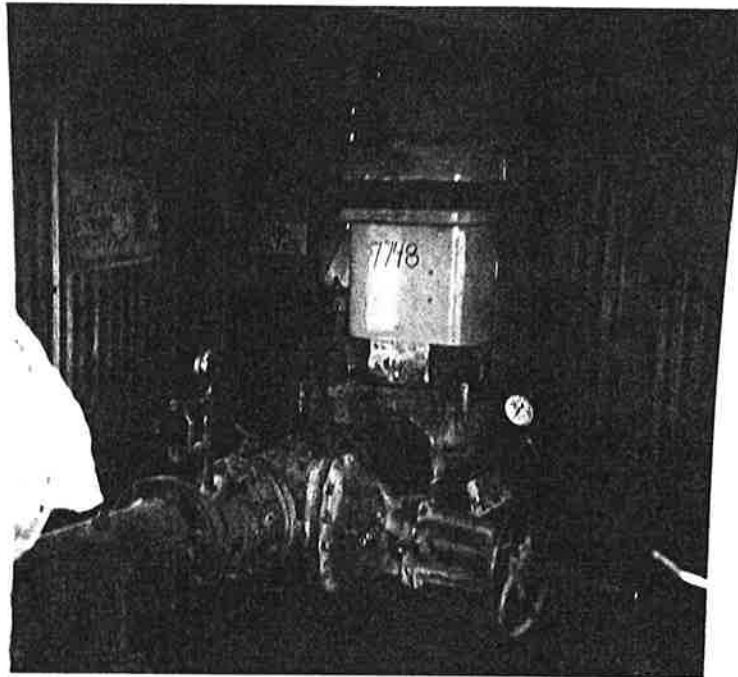
The map grid contains the following hand-drawn elements:

- A curved line spanning from the left edge to the right edge, positioned between the 3rd and 4th horizontal grid lines.
- A rectangular box labeled "pump" located between the 4th and 5th vertical grid lines and the 5th and 6th horizontal grid lines.
- A larger rectangular box labeled "canal" located between the 6th and 8th vertical grid lines and the 5th and 8th horizontal grid lines.
- Quadrant labels at grid intersections:
 - NW at (1, 3)
 - NE NW at (4, 3)
 - NE at (7, 3)
 - SW NW at (1, 5)
 - SE SW NE NW at (4, 5)
 - SE NE at (7, 5)
 - SW at (1, 8)
 - SE SW at (4, 8)
 - SE at (7, 8)

From East Water Measurement
District Records

SCALE 1:24,000

JAN 20 2003



From East Water Measurement
District Records

PERMIT
NUMBER

JAN 20 2006

NAME_1	FMC CORPORATION	ADRES ID	134
		POD	06S 33E 13 NWNE
NAME_2	C/O KW TANDY- PURCHASING MANAGER	DIV_RATE	4
		UNITS	CFS
ADDRESS_1	PO BOX 4111	SURF_FLG	
		CONTACT	
ADDRESS_2		COMMENTS	
CITY	POCATELLO		
ST	ID		
ZIP	83202	SITE_VISIT	
PHONE	2082326101	EXAMINER	
REGPOD98		5 SITE_TAGNO	
RECNO	200565		
WRNUMBER	A29-02301		

Well #4

 From East Water Measurement
 District Records

FMC record 200565
 bac 6/21/2001

PROTECTED

SCANNED
 JAN 20 2001

WATER MEASUREMENT DISTRICT
FIELD REPORT

DISTRICT Eastern RECORD NUMBER 200565

SITE DATA:

EXAMINER (inv_name) L Rounds

EXAM DATE 05-13-98 DIVERSION NAME FMC Well #4
(site_visit) (div_name)

GPS FILE 20513173 SITE TAG NUMBER 80007386
(gps_filnam) (site_tagno)

GPS OFFSET (offset) 45' WSW

TAG LOCATION (tag_locat) hsc bib

POD LEGAL (pod) T 6 N (S) R 33 E, Sec 13, NW NE

DISTRICT MEASUREMENT CAPABILITY (std_rcmd):

SONIC (s) SONIC/DIG (sd) SONIC @ PVT (sp)

COLLINS (c)? PYGMY (p)

see notes

MEASUREMENT RECOMMENDATIONS (op_num):

PCC (2) HOUR METER (7) IRR. FLOWMETER (1)

ALTERNATE (3) OTHER FLOWMETER (8) CRP (9)(4)

AMEND CLAIM (A) OPEN CHANNEL DEVICE (9)

SUITABLE FOR PCC even if other method selected (pcc_ok) YES NO

TRACKING will be required (trkng_reqd) YES NO

Well has ACCESS PORT for water level meas. (wl_access) YES NO

FLOWMETER installation poss. w/o major change (qmtr_ez) YES NO

FOLLOW-UP DATE (folup_date) 1999

OWNER/OPERATOR INFORMATION

OWNER (name) FMC (134) PHONE _____

ADDRESS _____ CEL PHONE _____

OPERATOR (contact) _____ PHONE _____

ADDRESS _____ CEL PHONE _____

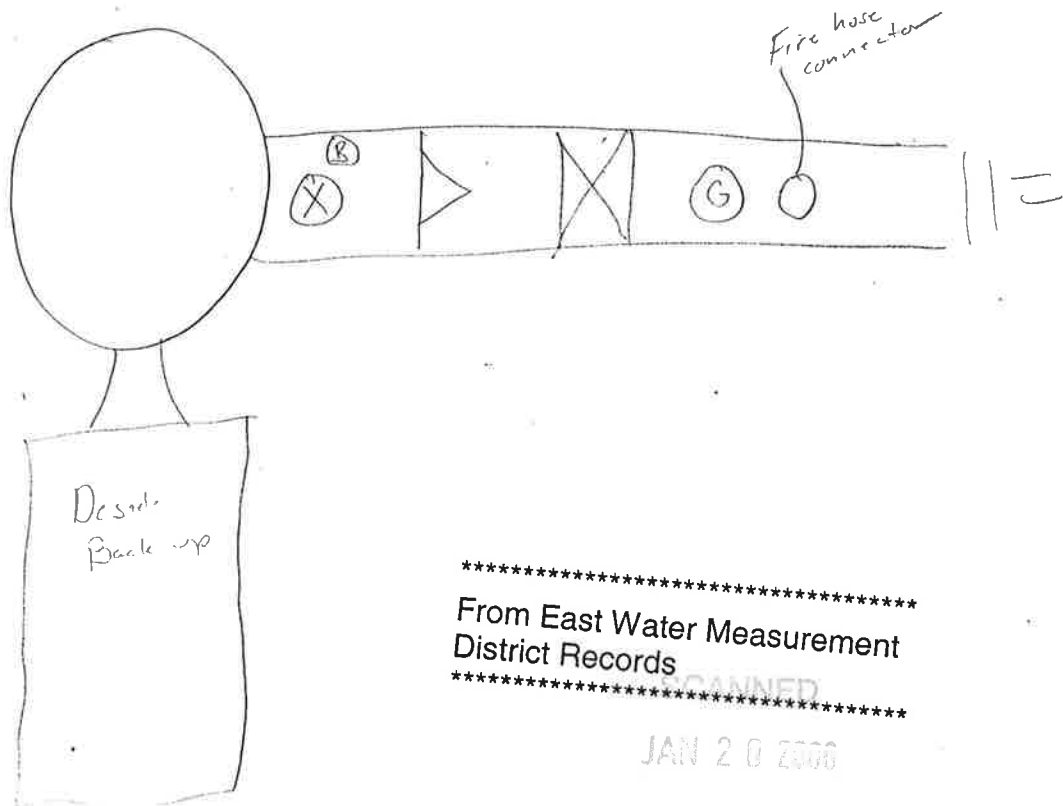
From East Water Measurement
District Records

SCAN

JAN 20 2003

PUMPING PLANT SKETCH

VALVE	=	
CHECK VALVE	=	
AIR VAC	=	
PRESS. RELIEF	=	
INDIVE/UPDIVE	=	
HOSE BIB	=	
PRESS. GAGE	=	
WELL ACCESS	=	



 From East Water Measurement
 District Records

JAN 20 2000

WELL/PUMP INFORMATION:

DEPTH OF WELL: _____ DEPTH OF BOWLS: _____

WATER LEVELS:

PRE-SEASON STATIC: _____ DATE MEAS: _____
(swl_pre) (swlpredate)DURING-SEASON STATIC: _____ DATE MEAS: _____
(swl_mid) (swlmiddade)POST-SEASON STATIC: _____ DATE MEAS: _____
(swl_post) (swlpstdate)DYNAMIC WATER LEVEL: _____ DATE MEAS: _____
(pmpng_wl) (pwl_date)

DOES STATIC WATER LEVEL DROP OR RISE OVER SEASON? YES NO

DOES ANOTHER WELL SPECIFICALLY INTERFERE WITH THIS WELL? YES NO

PUMP AND MOTOR INFORMATION:

WELL MOTOR

MFG: US MotorSERIAL: 932545HP: 150

BOOSTER 1 MOTOR

MFG: GM DieselSERIAL: 6A 82542HP: ~125

BOOSTER 2 MOTOR

MFG: _____

SERIAL: _____

HP: _____

WELL PUMP

MFG: Peerless

SERIAL: _____

TYPE: _____ VERT T CENT SUBMER
(pump_type) (v) (c) (s)

BOOSTER 1 PUMP

MFG: _____

SERIAL: _____

TYPE: _____ VERT T CENT SUBMER

BOOSTER 2 PUMP

MFG: _____

SERIAL: _____

TYPE: _____ VERT T CENT SUBMER

UTILITY KWH METER INFORMATION:

UTILITY: N/A
(utility)POLE #: _____
(pole_no)

MAX KW DEMAND _____

KILOWATT HRS _____
(kwh_1)

(use date of exam for "kwh1_date")

UTILITY ACCOUNT NUMBER _____
(acct_no)KWH METER SERIAL: _____
(pwrmt_rsn)METER MFG: _____
(pwrmt_rmf)Kh DISK CONSTANT _____
(kh)MULTIPLIER _____
(disk_m)

From East Water Measurement
District Records

SCANNED

JAN 20 2006

SYSTEM DESCRIPTION/NARRATIVE COMMENTS:

SYSTEM TYPE Industrial Live
(system_type)COMMENTS TO DATA-ENTER (exam_notes): Diesel and electric motors
on well

FILE-ONLY COMMENTS:

not running used mostly for backup & live protection
can be used to supplement other wells. lack of strait pipe
make measurement unreliable. new pipe or dig up parking
lot are options

From East Water Measurement
District Records

I certify that the above information is true and correct to the best
of my knowledge and ability and the measurements taken and recorded
are in accordance with the standards and specifications of the
equipment used.

Signature _____ Date _____

SCANNED

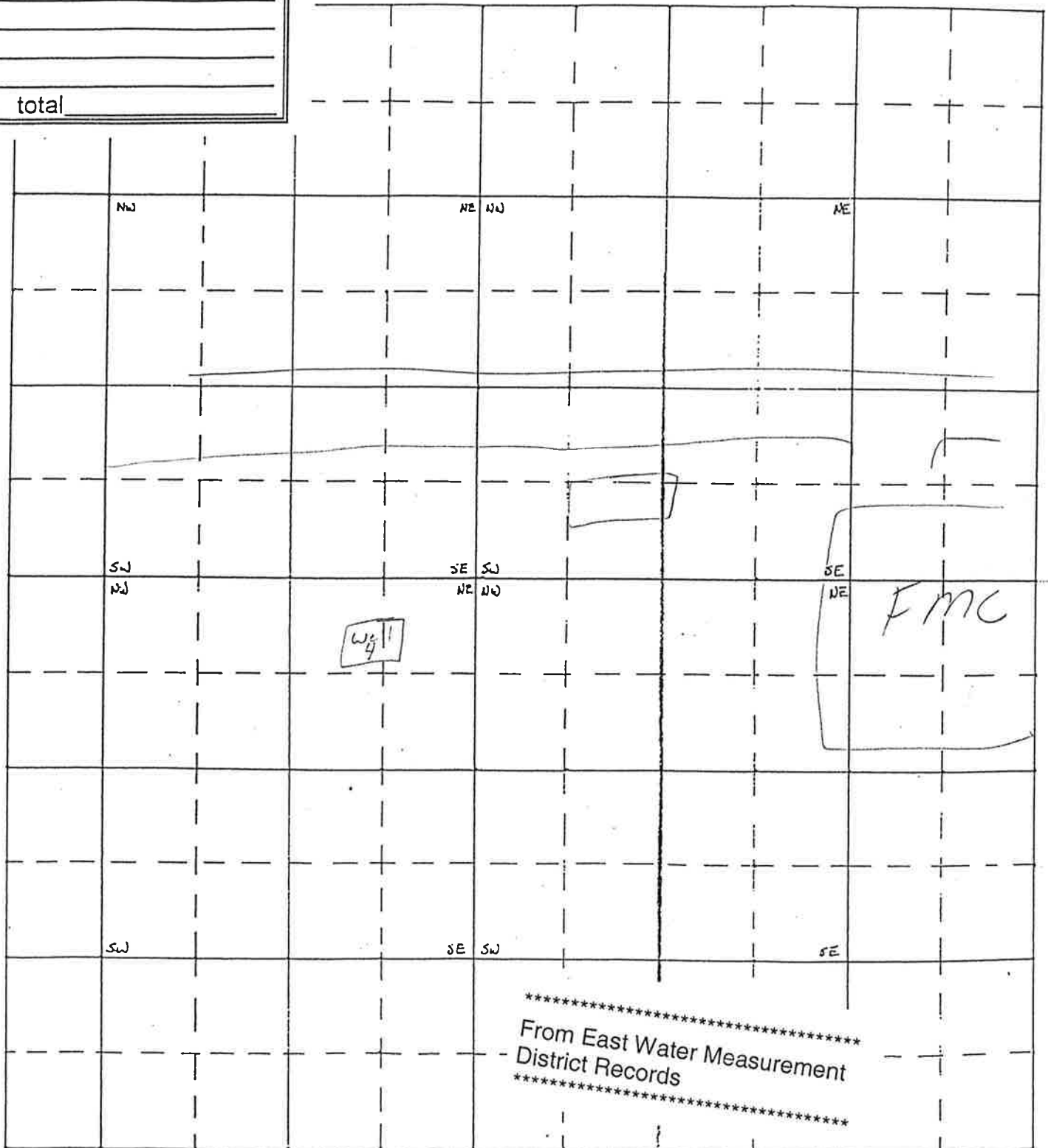
JAN 20 2006

EASTERN WATER MEASUREMENT DISTRICT

SUPPLEMENTAL DATA FORM A

SKETCH OF IRRIGATED LANDS AND MAJOR COMPONENTS OF DELIVERY SYSTEM/S

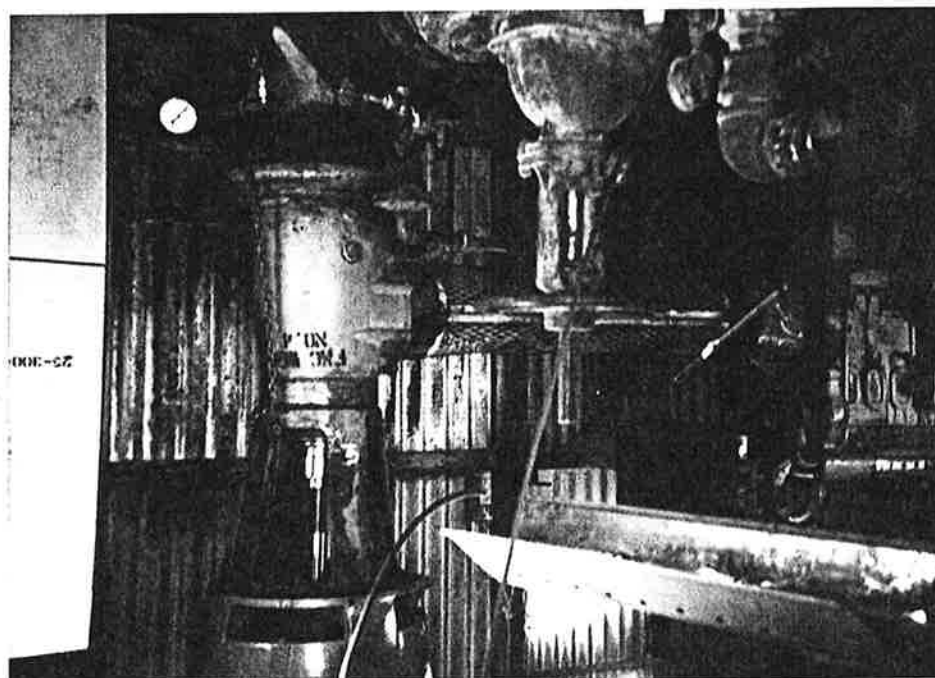
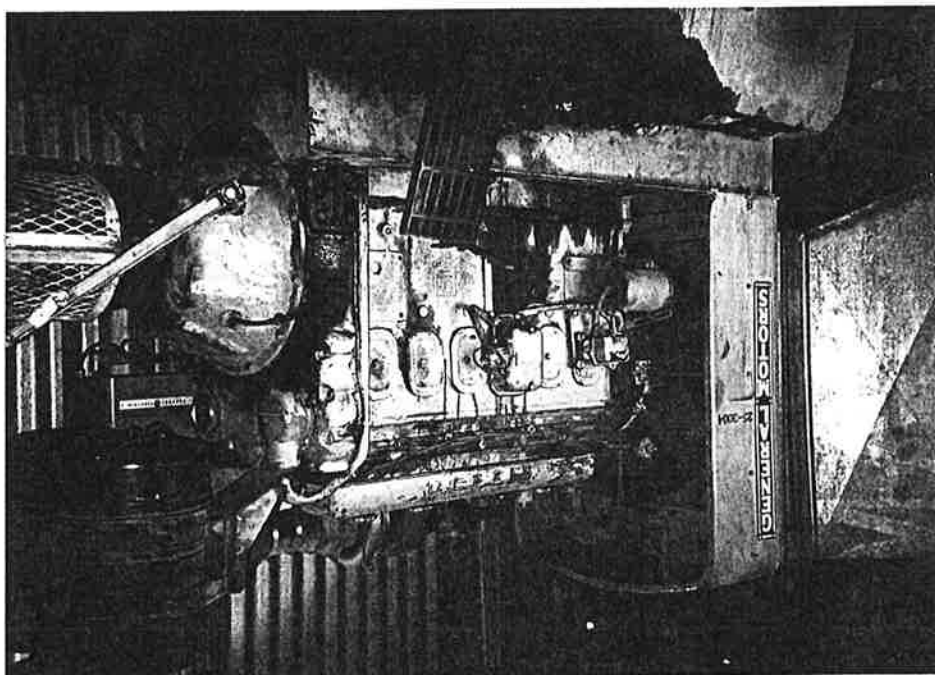
crop	acres
1	_____
2	_____
3	_____
4	_____
total	_____



SCALE 1:24,000

JAN 20 2006

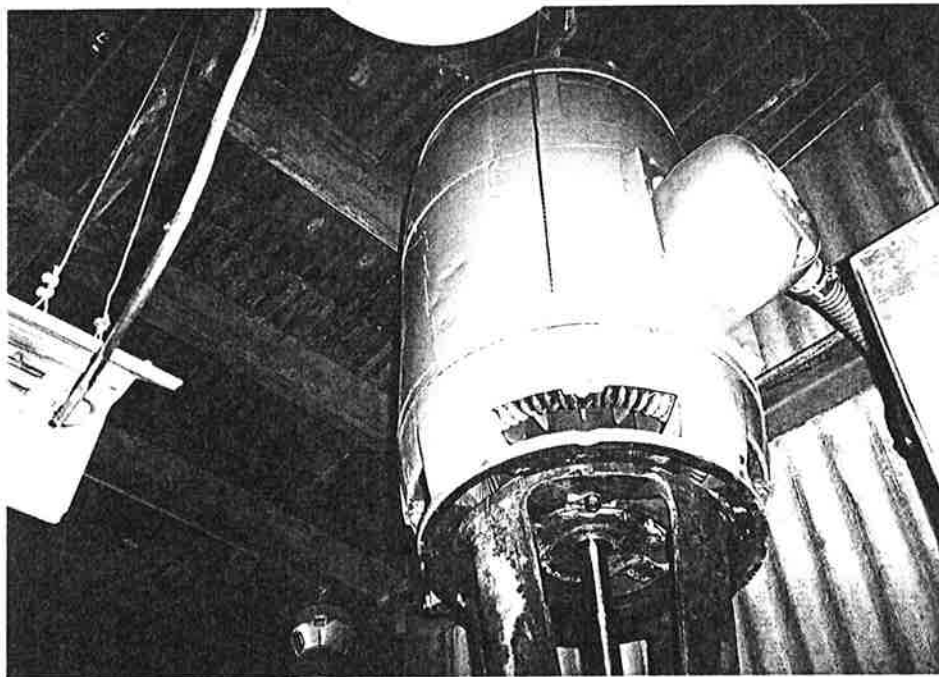
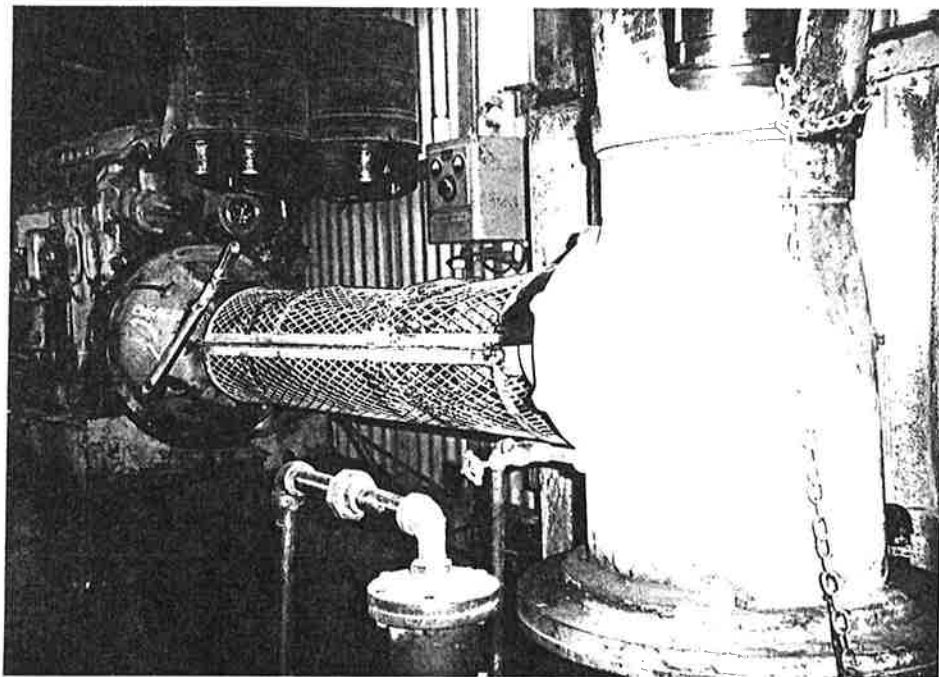
PE&HIT
NKHGEA



From East Water Measurement
District Records

PHOTOS

SCANNED
JAN 20 2006



From East Water Measurement
District Records

PERMIT
NUMBER
SCANNED

JAN 20 2006

NAME_1	FMC CORPORATION	ADRES_ID	134
		POD	06S 33E 13 NWNW
NAME_2	C/O KW TANDY- PURCHASING MANAGER	DIV_RATE	4.5
		UNITS	CFS
ADDRESS_1	PO BOX 4111	SURF_FLG	
		CONTACT	
ADDRESS_2		COMMENTS	Well #3
CITY	POCATELLO		
ST	ID		
ZIP	83202	SITE_VISIT	
PHONE	2082326101	EXAMINER	
REGPOD98		5 SITE_TAGNO	
RECNO	200566		
WRNUMBER	A29-02284		

236-8220

L

Kelly Packard

Wednesday Morning 9:30 AM 05-13-98
 Arr West Poc exchange frontage road to FMC
 guard office to left

Check for volume of water rights

From East Water Measurement
 District Records

FMC record 200566

6/21/2001 CBAE

JAN 20 2006

PROTECTED

WATER MEASUREMENT DISTRICT
FIELD REPORT

DISTRICT Eastern RECORD NUMBER 200566

SITE DATA:

EXAMINER (inv_name) L. Rounds

EXAM DATE 05-13-98 DIVERSION NAME FMC Well #3
(site_visit) (div_name)

GPS FILE L051317C SITE TAG NUMBER E0007387
(gps_filnam) (site_tagno)

GPS OFFSET (offset) 35' WSW

TAG LOCATION (tag_locat) hose b.b.

POD LEGAL (pod) T 6 N (S), R 33 E, Sec 13, NW NW

DISTRICT MEASUREMENT CAPABILITY (std_rcmd):

SONIC (s) SONIC/DIG (sd) SONIC @ PVT (sp)

COLLINS (c) PYGMY (p)

see notes

MEASUREMENT RECOMMENDATIONS (op_num):

PCC (2) HOUR METER (7) IRR. FLOWMETER (1)

ALTERNATE (3) OTHER FLOWMETER (8) CRP (9)(4)

AMEND CLAIM (A) OPEN CHANNEL DEVICE (9)(9)

SUITABLE FOR PCC even if other method selected (pcc_ok) YES (NO)

TRACKING will be required (trkng_reqd) (YES) NO

Well has ACCESS PORT for water level meas. (wl_access) YES (NO)

FLOWMETER installation poss. w/o major change (qmtr_ez) YES (NO)

FOLLOW-UP DATE (folup_date) 1999

OWNER/OPERATOR INFORMATION

OWNER (name) FMC PHONE _____

ADDRESS _____ CEL PHONE _____

OPERATOR (contact) _____ PHONE _____

ADDRESS _____ CEL PHONE _____

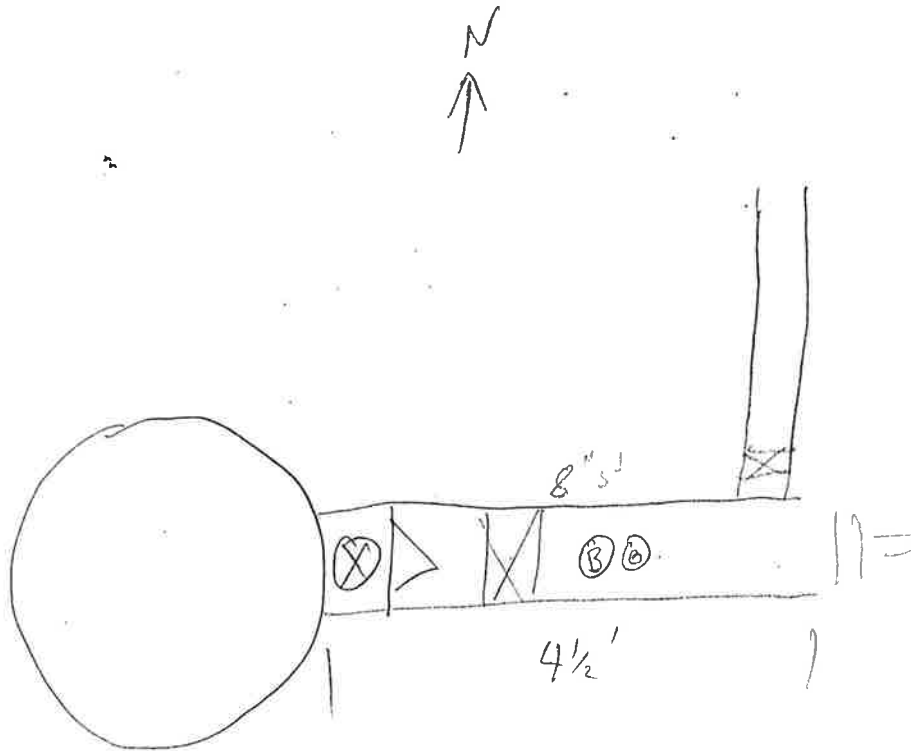
From East Water Measurement
District Records

SCANNED

JAN 20 2006

PUMPING PLANT SKETCH

VALVE	=	
CHECK VALVE	=	
AIR VAC	=	
PRESS. RELIEF	=	
INDIVE/UPDIVE	=	
HOSE BIB	=	
PRESS. GAGE	=	
WELL ACCESS	=	



From East Water Measurement
District Records

JAN 20 2006

WELL/PUMP INFORMATION:

DEPTH OF WELL: _____ DEPTH OF BOWLS: _____

WATER LEVELS:

PRE-SEASON STATIC: _____ DATE MEAS: _____
(swl_pre) (swlpredate)DURING-SEASON STATIC: _____ DATE MEAS: _____
(swl_mid) (swlmiddat)POST-SEASON STATIC: _____ DATE MEAS: _____
(swl_post) (swlpstdat)DYNAMIC WATER LEVEL: _____ DATE MEAS: _____
(pmpng_wl) (pwl_date)

DOES STATIC WATER LEVEL DROP OR RISE OVER SEASON? YES NO

DOES ANOTHER WELL SPECIFICALLY INTERFERE WITH THIS WELL? YES NO

PUMP AND MOTOR INFORMATION:

WELL MOTOR

MFG: 1.5 MotorSERIAL: 1397696HP: 150

BOOSTER 1 MOTOR

MFG: _____

SERIAL: _____

HP: _____

BOOSTER 2 MOTOR

MFG: _____

SERIAL: _____

HP: _____

WELL PUMP

MFG: PeerlessSERIAL: N/ATYPE: VERT T CENT SUBMER
(pump_type) (v) (c) (s)

BOOSTER 1 PUMP

MFG: _____

SERIAL: _____

TYPE: VERT T CENT SUBMER

BOOSTER 2 PUMP

MFG: _____

SERIAL: _____

TYPE: VERT T CENT SUBMER

UTILITY KWH METER INFORMATION:

UTILITY: N/A
(utility)POLE #: _____
(pole_no)

MAX KW DEMAND _____

KILOWATT HRS _____

(kwh_1)
(use date of exam for "kwh1_date")UTILITY ACCOUNT NUMBER _____
(acct_no)KWH METER SERIAL: _____
(pwrmttr_sn)METER MFG: _____
(pwrmttr_mfg)Kh _____
(k *****)MU From East Water Measurement
(d District Records
*****)

JAN 20 2006

SYSTEM DESCRIPTION/NARRATIVE COMMENTS:

SYSTEM TYPE Industrial
(system_type)

COMMENTS TO DATA-ENTER (exam_notes):

FILE-ONLY COMMENTS: limited space would make collins unreliable,
barring installation of some meters and new pipe parking lot would
100 psi have to be dug up,
depth to water 65'

From East Water Measurement
District Records

I certify that the above information is true and correct to the best
of my knowledge and ability and the measurements taken and recorded
are in accordance with the standards and specifications of the
equipment used.

Signature _____

Date _____

SCANNED

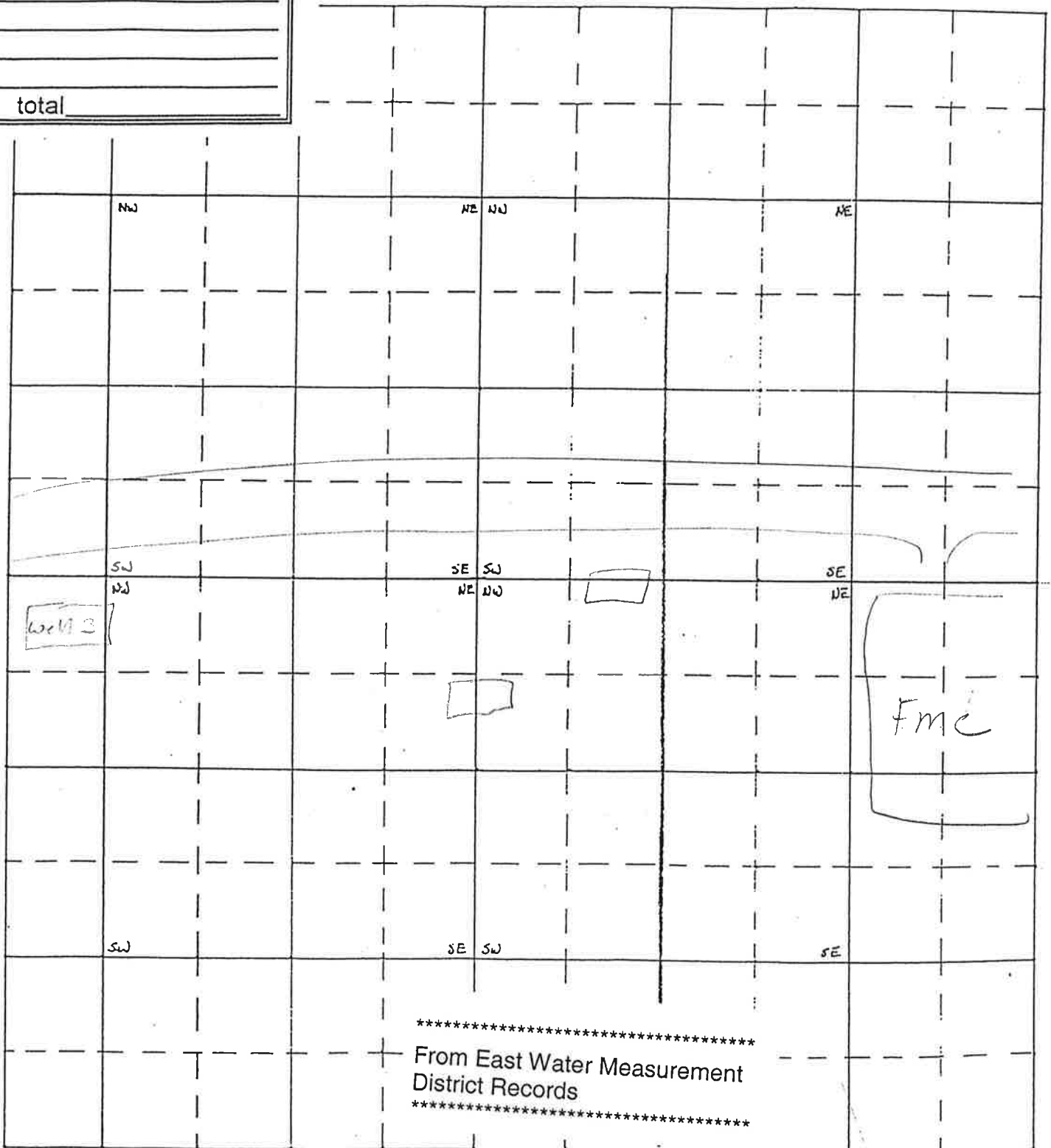
JAN 20 2006

EASTERN WATER MEASUREMENT DISTRICT

SUPPLEMENTAL DATA FORM A

SKETCH OF IRRIGATED LANDS AND MAJOR COMPONENTS OF DELIVERY SYSTEM/S

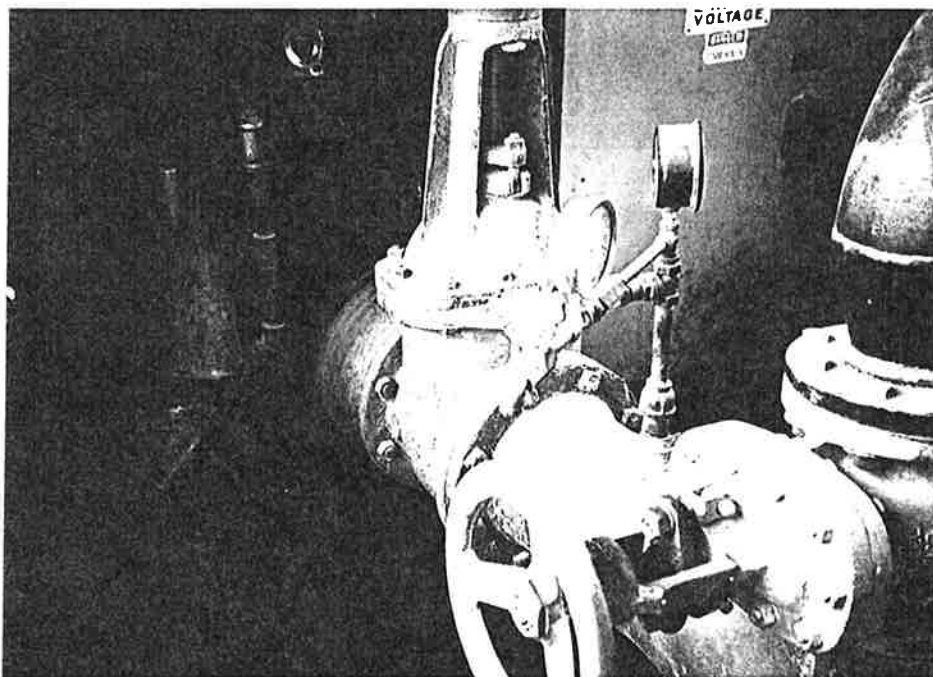
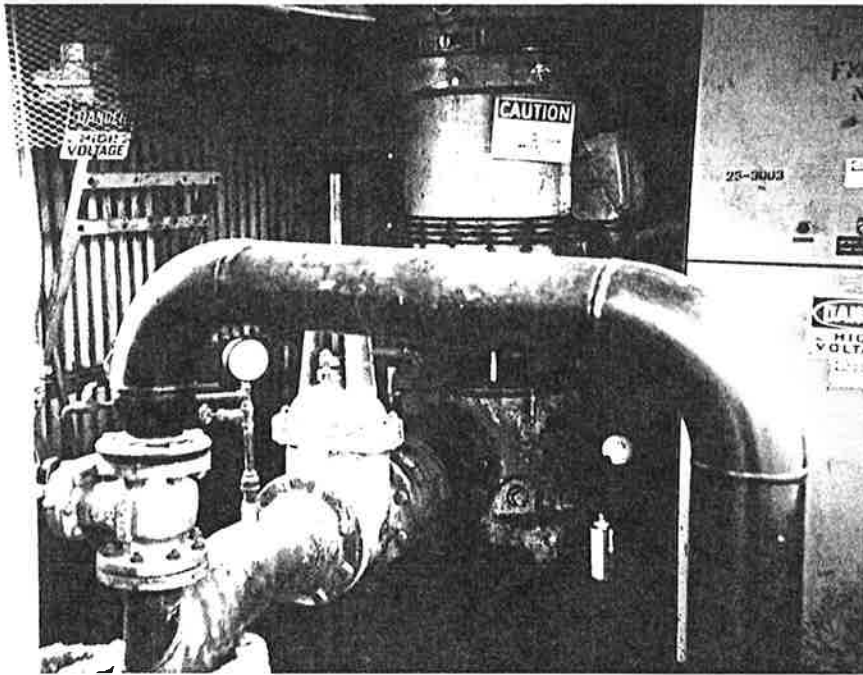
crop	acres
1	
2	
3	
4	
total	



 From East Water Measurement
 District Records

SCALE 1:24,000

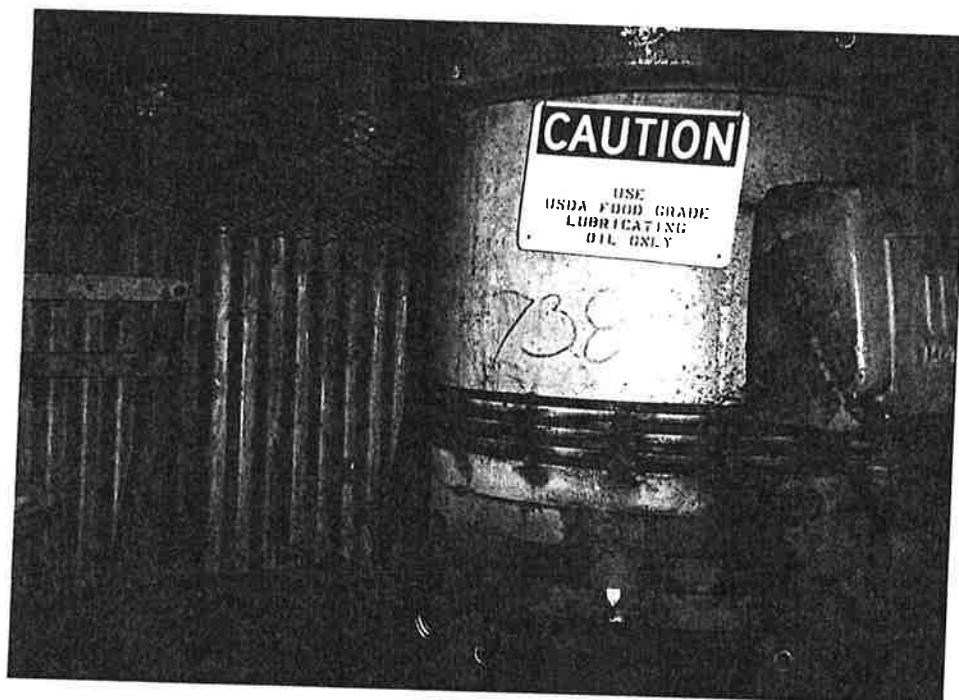
JAN 20 2006



From East Water Measurement
District Records

PERMIT
NUMBER

JAN 20 2006



 From East Water Measurement
 District Records

PERMIT
 NUMBER

NAME_1	FMC CORPORATION	ADRES_ID	134
		POD	06S 33E 12 SESW
		DIV_RATE	4.5
NAME_2	C/O KW TANDY- PURCHASING MANAGER	UNITS	CFS
ADDRESS_1	PO BOX 4111	SURF_FLG	
		CONTACT	
ADDRESS_2		COMMENTS	
CITY	POCATELLO		
ST	ID		
ZIP	83202	SITE_VISIT	
PHONE	2082326101	EXAMINER	
REGPOD98		5 SITE_TAGNO	
RECNO	200561		
WRNUMBER	A29-02284		

By Race Track

 From East Water Measurement
 District Records

FMC record 200561
 6/21/01 BAC

SCANNED
 JAN 20 2006

PROVIDED

✓

WATER MEASUREMENT DISTRICT
FIELD REPORT

DISTRICT Eastern

RECORD NUMBER 200561

SITE DATA:

EXAMINER (inv_name) L. Rounds

EXAM DATE 05-13-98
(site_visit)

DIVERSION NAME West Well by core track
(div_name)

GPS FILE 2051316A
(gps_filnam)

SITE TAG NUMBER A0007747
(site_tagno)

GPS OFFSET (offset) 30' SSW

TAG LOCATION (tag_locat) beam near pump

POD LEGAL (pod) T 6 N(S), R 33 E, Sec 12, SW SW SW

DISTRICT MEASUREMENT CAPABILITY (std_rcmd):

SONIC (s)

SONIC/DIG (sd)

SONIC @ PVT (sp)

COLLINS (c)

PYGMY (p)

MEASUREMENT RECOMMENDATIONS (op_num):

PCC (2)

HOOR METER (7)

IRR. FLOWMETER (1)

ALTERNATE (3)

OTHER FLOWMETER (8)

CRP (9)

AMEND CLAIM (A)

OPEN CHANNEL DEVICE (D)

SUITABLE FOR PCC even if other method selected (pcc_ok)

YES NO

TRACKING will be required (trkng_reqd)

YES NO

Well has ACCESS PORT for water level meas. (wl_access)

YES NO

FLOWMETER installation poss. w/o major change (qmtr_ez)

YES NO

FOLLOW-UP DATE (folup_date) 1999

OWNER/OPERATOR INFORMATION

OWNER (name) FMC (134)

PHONE _____

ADDRESS _____

CEL PHONE _____

OPERATOR (contact) _____

PHONE _____

ADDRESS _____

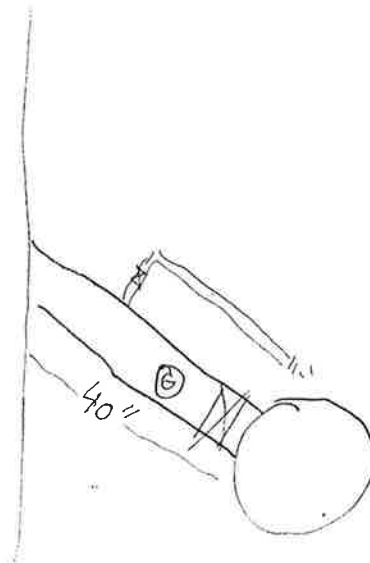
From East Water Measurement
District Records

SCANNED

JAN 20 2006

PUMPING PLANT SKETCH

VALVE	=	
CHECK VALVE	=	
AIR VAC	=	
PRESS. RELIEF	=	
INDIVE/UPDIVE	=	
HOSE BIB	=	
PRESS. GAGE	=	
WELL ACCESS	=	



 From East Water Measurement
 District Records

SCANNED
 JAN 20 2006

WELL/PUMP INFORMATION:

DEPTH OF WELL: _____ DEPTH OF BOWLS: _____

WATER LEVELS:

PRE-SEASON STATIC: _____ DATE MEAS: _____
(swl_pre) (swlpredate)DURING-SEASON STATIC: _____ DATE MEAS: _____
(swl_mid) (swlmidddate)POST-SEASON STATIC: _____ DATE MEAS: _____
(swl_post) (swlpstdate)DYNAMIC WATER LEVEL: _____ DATE MEAS: _____
(pmpng_wl) (pwl_date)

DOES STATIC WATER LEVEL DROP OR RISE OVER SEASON? YES NO

DOES ANOTHER WELL SPECIFICALLY INTERFERE WITH THIS WELL? YES NO

PUMP AND MOTOR INFORMATION:

WELL MOTOR

MFG: U.S. MotorSERIAL: 1244309HP: 40

BOOSTER 1 MOTOR

MFG: _____

SERIAL: _____

HP: _____

BOOSTER 2 MOTOR

MFG: _____

SERIAL: _____

HP: _____

WELL PUMP

MFG: _____

SERIAL: _____

TYPE: VERT T CENT SUBMER
(pump_type) (v) (c) (s)

BOOSTER 1 PUMP

MFG: _____

SERIAL: _____

TYPE: VERT T CENT SUBMER

BOOSTER 2 PUMP

MFG: _____

SERIAL: _____

TYPE: VERT T CENT SUBMER

UTILITY KWH METER INFORMATION:

UTILITY: Idaho Power
(utility)POLE #: _____
(pole_no)

MAX KW DEMAND _____

KILOWATT HRS 35639
(kwh_1)

(use date of exam for "kwh1_date")

UTILITY ACCOUNT NUMBER _____
(acct_no)KWH METER SERIAL: 92 597 310
(pwrmttr_sn)METER MFG: GE
(pwrmttr_mfg)Kh DISK CONSTANT 57.6
(kh)MULTIPLIER 1
(dj)*****
From East Water Measurement
District Records

JAN 20 2006

SYSTEM DESCRIPTION/NARRATIVE COMMENTS:

SYSTEM TYPE Irrigation - hand lines
(system_type)

COMMENTS TO DATA-ENTER (exam_notes):

FILE-ONLY COMMENTS:

measurement may be taken outside of building on west side
front in irrigate < 15 acres and water some trees
operates 90% of time on only one condition

From East Water Measurement
District Records

I certify that the above information is true and correct to the best
of my knowledge and ability and the measurements taken and recorded
are in accordance with the standards and specifications of the
equipment used.

Signature _____ Date _____

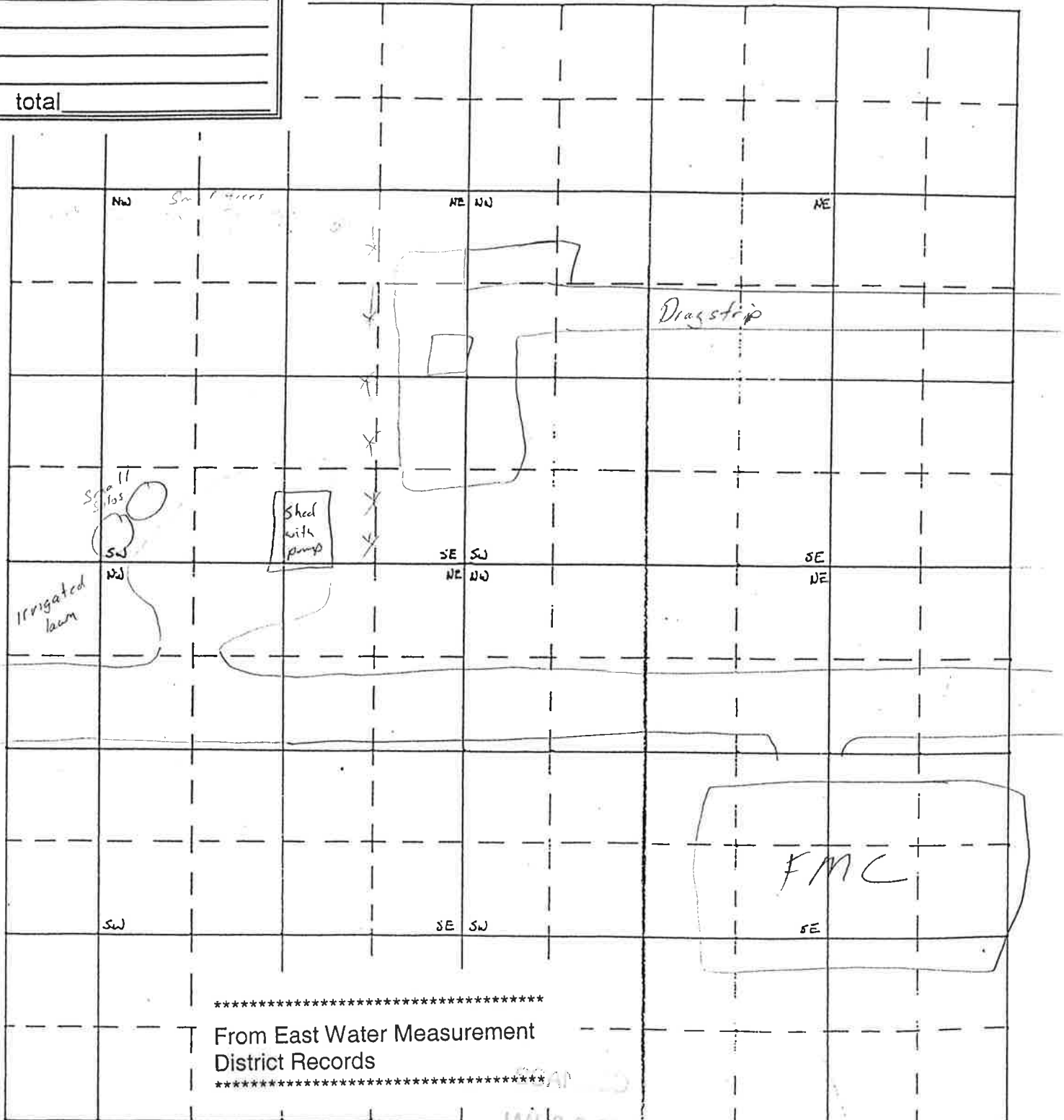
JAN 20 2006

EASTERN WATER MEASUREMENT DISTRICT

SUPPLEMENTAL DATA FORM A

SKETCH OF IRRIGATED LANDS AND MAJOR COMPONENTS OF DELIVERY SYSTEM/S

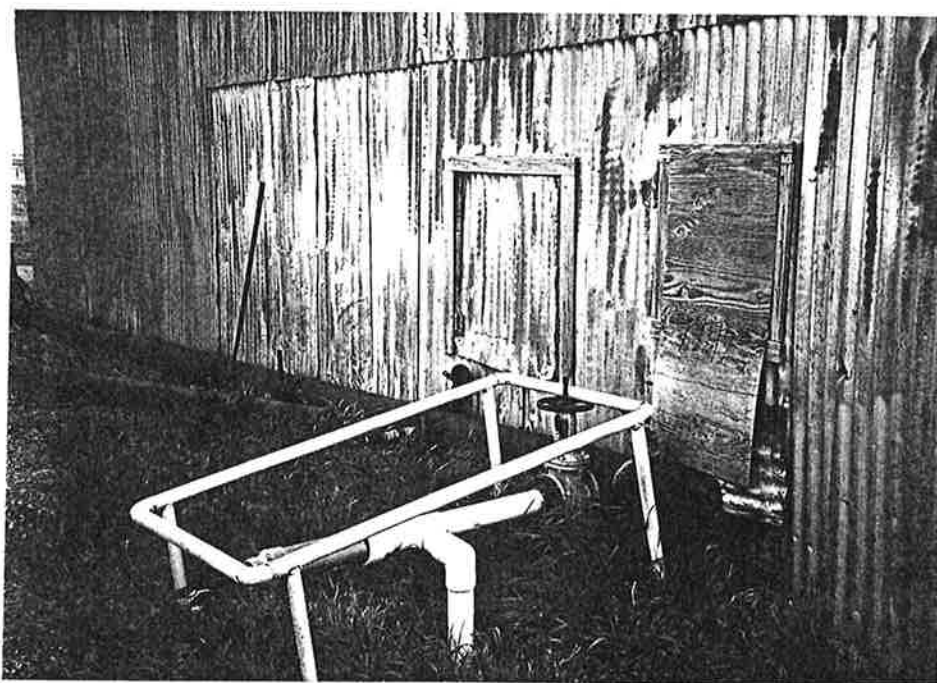
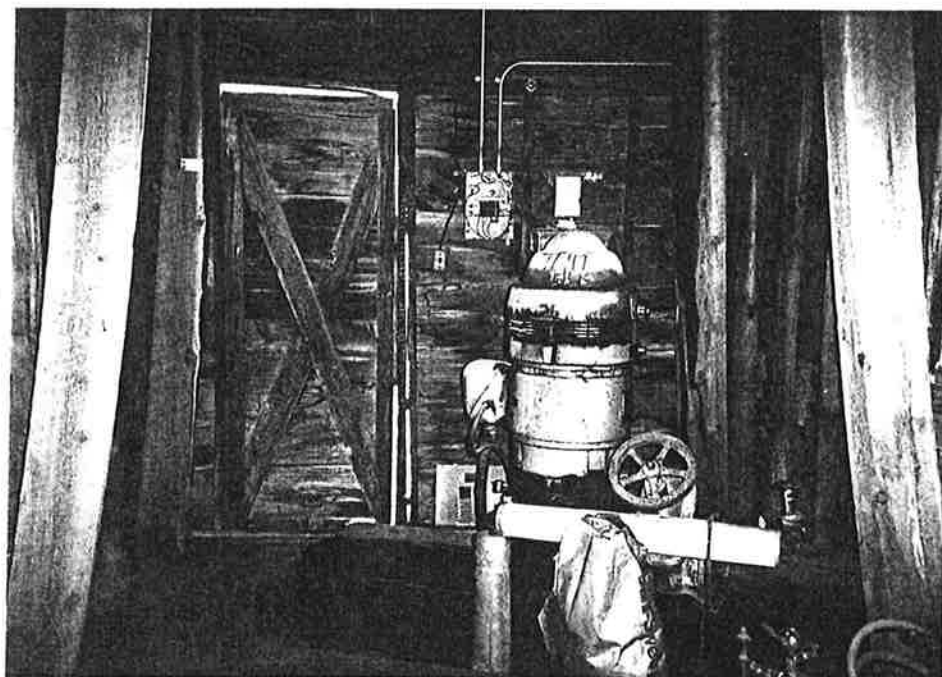
crop	acres
1	
2	
3	
4	
total	



From East Water Measurement
District Records

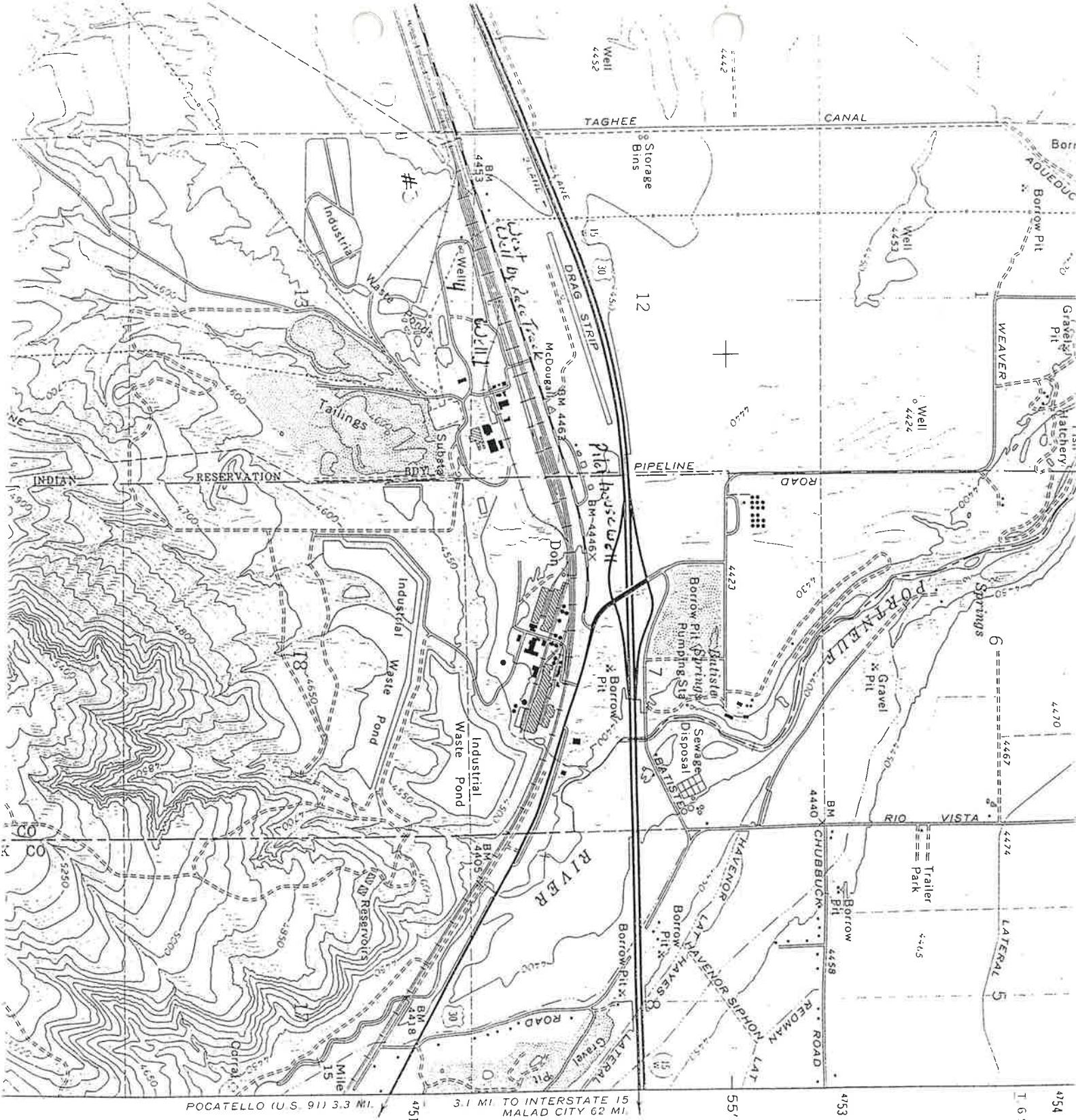
JAN 20 2006

SCALE 1:24,000



From East Water Measurement
District Records

PERMIT
NUMBER
SCANNED
JAN 20 2006



SCANNED
JAN 20 2006

From East Water Measurement
District Records

FMC Correspondence file
6/21/01 BAC

Items Under
This Flap
Refer Specifically
to 29-2284

02/18/2003

Paul

NOTICE OF ERROR
REPLY

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: 29-2284

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

RECEIVED
APR 28 2003
Department of Water Resources
Eastern Region

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

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

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

X 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

PROFILES

SCANNED

JAN 20 2006

02/18/2003

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

RIGHT NUMBER: 29-2284
NAME AND ADDRESS: F M C CORP
PO BOX 4111
POCATELLO ID 83202

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 4.500 CFS
3,257.90 AFY

PRIORITY DATE: 03/02/1949

POINT OF DIVERSION:
T06S R33E S12 SESESW Within POWER County
T06S R33E S13 NENWNW Within POWER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
INDUSTRIAL	01/01 12/31	4.500 CFS 3,257.90 AFY

PLACE OF USE: INDUSTRIAL Within POWER County

T06S R33E S12	SWSW ?	T06S R33E S12	SESW ✓
T06S R33E S12	SWSE ✓	T06S R33E S12	SESE ✓
T06S R33E S13	NENE ✓	T06S R33E S13	NWNE ✓
T06S R33E S13	SWNE ✓	T06S R33E S13	SENE ✓
T06S R33E S13	NENW ✓	T06S R33E S13	NWNW ✓
T06S R33E S13	SWNW ✓	T06S R33E S13	SENW ✓
T06S R33E S13	NESE ✓	T06S R33E S13	NWSE ✓

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

RIGHT NO. 29-2301 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED IN NENWNW, 13-06S-33E.

SCANNED

JAN 20 2006

**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. GOODELL
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

RECEIVED
APR 28 2003
Department of Water Resources
Eastern Region

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

SCANNED
JAN 20 2006

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.)

SCANNED
JAN 20 2006

SCANNED

MAY 10 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 2, 2000

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

RE: WATER RIGHT OWNERSHIP CHANGE FOR FMC - ASTARIS

Dear Ms. Jones:

Our office received the above referenced request on April 21, 2000 and have processed it as follows:

Adjudication claims A29-02301, A29-02255E, A29-02284, and A29-11342 have been processed and are in the name of **Astaris Idaho LLC**. Enclosed are copies for your files.

Adjudication claims A27-02050 and A27-02053 have been processed and are in the name of **FMC, NuWest DBA Agrium, and Astaris Production LLC**. Enclosed are copies for your files.

Adjudication claim A29-02255C has been processed and is in the name of **FMC and Astaris Production LLC**. Enclosed is a copy for your files.

27-04063 and 27-02162 are domestic and stockwater rights that have been partially decreed by the Snake River Basin Adjudication court. Our state headquarters in Boise, Idaho processes these documents. I will forward a copy of your request to them.

27-07057 and 27-07058 are licensed water rights (not adjudication claims) and are also processed at our state office. Again, I will forward your request to them.

If you have questions about the domestic and stockwater rights or the licensed water rights, please contact IDWR, Allocations Bureau in Boise, at (208) 327-7900. If you have questions about the other claims, please contact Senior Water Right Agent Dave Carslon in our office at (208) 525-7161.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Crabtree".

Jennifer Crabtree

Technical Records Specialist

Enclosures

cc: Gary Resh, Astaris Production LLC
Rob Hartman, Astaris Idaho LLC

DC 5/2000
ok

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

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Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

Department of Water Resources
Eastern Region

1. Water Right No(s): 29-02301, 29-02255e, 29-02284, 29-11342
Adjudication Claim No(s): A29-02301, A29-02255e, A29-02284, A29-11342 ✓

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

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim 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 FMC Corporation
1735 Market St., Philadelphia, PA 19103

4. New Owner/Claimant(s) Astaris Idaho LLC
Name Connector (Check one): [] and, [] or, [] and/or
New Mailing Address 10300 Olive Blvd.
City, State and ZIP Code St. Louis, MO 63166
New Telephone Number (208) 236-8658 Rob Hartman

5. Date you acquired the property 4-12-00

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

See attached profiles.

Number of acres you irrigate with this water right _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) ASTARIS IDAHO LLC, a Delaware limited liability company
or Claimant(s)

BY: [Signature]

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

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

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Department of Water Resources
Eastern Region

20005743

Power Counties - Pocatello Plant 117-1

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, **FMC Corporation**, a Delaware corporation, the Grantor, does hereby grant, bargain, sell and convey unto **Astaris Idaho LLC**, a Delaware limited liability company, the Grantee, whose address is 10300 Olive Boulevard, St. Louis, MO 63166, 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 numbers 29-02301, 29-02255e, 29-02284, 29-11342, Grantor's interest in the Fort Hall Irrigation Project (U.S. Department of Interior-Bureau of Indian Affairs Serial No. 7093.0002) and the Palisades Water Storage Project (Contr. No. 14-06-100-1836, U.S. Department of Interior-Bureau of Reclamation, Palisades Water Users, Inc. A01-10214), and excluding water rights covered by that certain Water Rights Quitclaim Deed recorded as Instrument No. 164923, Power County, Idaho

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;

(iv) rights of the State of Idaho in and to that portion of said premises, if any, lying in the bed or former bed of the Portneuf River, if it is navigable; any question of location, boundary or area related to the Portneuf River, including but not limited to, any past or future change in it; any difference in the mean high water line of the Portneuf River and the meander line as shown by government survey; right, title and interest of the public in and to those portions of the premises falling within the bounds of roads or highways, all parcels; and

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

NOTICE: Portions of the premises conveyed by this instrument are subject to a Consent Decree dated October 16, 1998 with the United States of America, U.S. Environmental Protection Agency, in the matter *United States of America v. FMC Corporation*, CIV98-0406-E-BLW, United States District Court for the District of Idaho. The Consent Decree provides that the owner and subsequent owners of the premises are required to comply with relevant portions of the Consent Decree and to allow access to the premises for purposes set forth in the Consent Decree.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand effective as of the 12th day of April, 2000.

FMC CORPORATION



By: Robert I. Harries
Title: Vice President

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Department of Water Resources
Boise, Idaho

20005743

STATE OF PENNSYLVANIA)
)
County of Philadelphia)

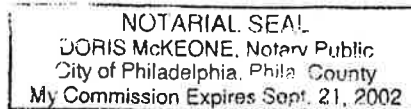
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On this 11th day of April, 2000 before me, Doris McKeone, a notary public in and for said State, personally appeared Robert I. Harries, known or identified to me to be the Vice President of FMC CORPORATION, the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

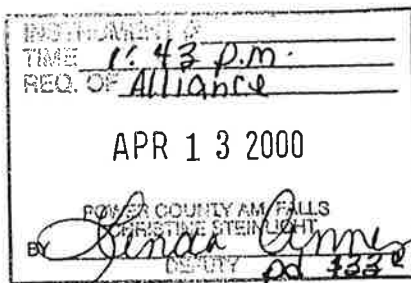
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Doris McKeone
Notary Public
Residing at: _____
My Commission Expires: _____



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NO 20005743
RECORDED AT REQUEST OF
ALLIANCE TITLE & ESCROW
2000 APR 13 PM 12 02
OFFICIAL RECORD BOOK NO 257
BANNOCK COUNTY IDAHO
LARRY W. GHAN RECORDER
FEE 33.00 DEPUTY \$

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Department of Water Resources
Eastern Region

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EXHIBIT "A"

PARCEL 1

A parcel of land located in the SE ¼ of the SW ¼ of section 6, T6S, R34E, B.M., Bannock County, Idaho, shown as Parcel A on Record of Survey plat instrument #96010035 (sheet 1 of 2) recorded in the Bannock County Recorder's office, and being more particularly described as follows:

Commencing at the North ¼ corner of section 7, T6S, R34E, said corner being marked by a found 1922 US Reclamation Service brass cap monument;
Thence N 89°58'04" E along the line common to sections 6 and 7, 561.70 feet to a point on the Northeasterly deed line of instrument #391868, said point being marked by a found stone monument with an "x" on top and a 5/8 inch diameter rebar with a yellow plastic cap stamped "PE/LS 4440" alongside;
Thence N 47°43'08" W along the Northeasterly deed line of said instrument #391868, 1429.15 feet to a ½-inch diameter rebar with a yellow plastic cap stamped "PE/LS 4440", said rebar marking the true point of beginning;
Thence S 42°16'35" W, 349.22 feet to a point on the Northeasterly bank of the Portneuf River, said point being marked by a ½-inch diameter rebar with a yellow plastic cap stamped "PE/LS 4440";
Thence Northwesterly along the Northeasterly bank of the Portneuf River the following six courses and distances:
N 22°36'25" W, 124.76 feet; N 41°08'13" W, 94.45 feet; N 49°30'08" W, 197.72 feet;
N 65°23'53" W, 181.96 feet; N 16°20'19" W, 90.15 feet; N 1°27'59" W, 203.42 feet to a point on the South 1/16 line of section 6, said point being marked by a ½-inch diameter rebar with a yellow plastic cap stamped "PE/LS 4440";
Thence N 87°44'25" E along said South 1/16 line, 218.00 feet to a point on the Northeasterly deed line of instrument #391868, said point being marked by a found 1922 US Reclamation Service brass cap monument;
Thence S 47°43'25" E along the Northeasterly deed line of instrument #391868, 640.00 feet, more or less, to the true point of beginning.
Said parcel containing 5.07 acres, more or less.

PARCEL 2

A parcel of land located in the S ½ of section 6, and in the N ½ of the NE ¼ of section 7, T6S, R34E, B.M., Bannock County, Idaho, more particularly described as follows:

Beginning at the Northwest corner of Tract 4, instrument #36893, recorded in the Bannock County Recorder's office, said corner being a pink quartzite stone marked with an "x" on top and being referenced with a 5/8-inch diameter rebar with a yellow plastic cap stamped "PE/LS 4440" set over the "x";
Thence N 47°43'25" W along the Southwesterly deed lines of Tract 3 and Tract 1 of said instrument #36893, 1268.75 feet to the Southeasterly deed corner of instrument #652968, said corner being marked by a 5/8-inch diameter rebar with a yellow plastic cap stamped "JUB ENG";
Thence N 42°14'40" E along the Easterly deed line of said instrument #652968, 234.01 feet to a found 5/8-inch diameter rebar with a yellow plastic cap stamped "PE/LS 4440";
Thence continuing N 30°57'31" W along the Easterly deed line of said instrument #652968, 1461.56 feet to a point on the Northerly deed line of instrument #286160, said point being marked by a found 5/8-inch diameter rebar with a yellow plastic cap stamped "PE/LS 4440";

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Department of Water Resources
Bannock County

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Thence S 63°34'35" E along the Northerly deed line of said instrument #286160, 848.81 feet to deed corner No. 1, instrument #60430, said corner being a found basalt stone in place marked with a "+" on the Westerly face and being referenced by a found 5/8-inch diameter rebar with a yellow plastic cap stamped "PE/LS 4440";

Thence S 78°47'34" E along the Northerly deed line of said instrument #60430, 1146.11 feet to deed corner No. 4, instrument #60430, said corner being a found rounded basalt stone in place marked with a "+" on top and being referenced by a found 5/8-inch diameter rebar with a yellow plastic cap stamped "PE/LS 4440";

Thence S 66°58'29" E along the Northerly deed line of said instrument #60430, 835.18 feet to deed corner No. 3, instrument #60430, said corner being on the North deed line of instrument #286160, and said corner being a found oval basalt stone in place marked with a "+" on top and being referenced by a found 5/8-inch diameter rebar with a yellow plastic cap stamped "PE/LS 4440";

Thence S 87°55'05" E along the North deed line of instrument #286160 and along the South 1/16 line of section 6, 859.18 feet to the South 1/16 corner on the East line of section 6, said corner being marked by a 5/8-inch diameter rebar with a yellow plastic cap stamped "LS 942";

Thence S 0°01'17" E along the East line of section 6 and along the East deed lines of instrument #286160 and 476524, 1320.58 feet to the Southeast corner of section 6, said corner being marked by a 5/8-inch diameter rebar with an aluminum cap stamped "Richard Green, LS 942";

Thence S 0°56'52" E along the East line of section 7 and along the East deed line of instrument #476524, 1446.90 feet to the Southeast deed corner of instrument #476524, said corner being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "AE ENG, PE/LS 4440";

Thence N 89°32'13" W along the South deed line of instrument #476524, 417.57 feet to a found stone with an "x" on top, said stone being referenced by a found 5/8-inch diameter rebar with a yellow plastic cap stamped "PE/LS 4440";

Thence N 47°42'18" W along the Westerly deed line of said instrument #476524, 2143.09 feet to the true point of beginning.

Said parcel containing 141.2 acres, more or less.

PARCEL 3

A parcel of land located in the SW ¼ of the NE ¼, and in the SE ¼ of the NW ¼, and in US Government Lots 5 and 8, all in section 7, T6S, R34E, B.M., Power County, Idaho, more particularly described as follows:

Beginning at the Northeast corner of the SE ¼ NW ¼ of said section 7, said corner being marked by a found 5/8-inch diameter rebar with a 2-inch diameter aluminum cap stamped "PE/LS 4440";

Thence S 0°02'23" E along the meridional centerline of section 7, and along the West deed line of Parcel B, described in instrument #166781, 350.01 feet to the Southwest deed corner of said Parcel B, said point being marked by a found ½-inch rebar with a yellow plastic cap stamped "PE/LS 4440";

Thence S 89°32'13" E parallel with the North 1/16 line of section 7, and along the South deed line of Parcel B, 674.35 feet to the Northeast deed corner of Parcel C, described in instrument #166780, said point being marked by a found ½-inch rebar with a yellow plastic cap stamped "PE/LS 4440";

Thence S 24°32'00" E along the Easterly deed line of said Parcel C, 81.90 feet to the Southwest deed corner of Parcel D, described in instrument #166781, said corner being marked by a found ½-inch rebar with a yellow plastic cap stamped "PE/LS 4440";

Thence S 71°43'51" E along the Southerly deed line of said instrument #166781, 113.39 feet to the Southeast deed corner of said Parcel D, said corner being marked by a found ½-inch rebar with a yellow plastic cap stamped "PE/LS 4440";

Thence N 21°03'32" E along the Easterly deed line of said Parcel D, and along the Westerly bank of the Portneuf River, 62.92 feet to a point on the South deed line of instrument #164682, said point being the Northeast deed corner of said Parcel D, and said point being marked by a found ½-inch rebar with a yellow plastic cap stamped "PE/LS 4440";

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Thence S 89°32'13" E along the South deed line of said instrument #164682, 82.69 feet to a point on the Easterly Bank of the Portneuf River, said point being on the Easterly deed line of instrument #164922, said point being marked by a set 5/8-inch diameter rebar with a yellow plastic cap stamped "PLS 4440";

Thence Southeasterly along the Easterly bank of the Portneuf River the following six courses and distances:
 S 3°37'20" W, 359.02 feet; S 6°00'46" E, 120.27 feet; S 21°19'31" E, 48.04 feet;
 S 57°01'20" E, 218.85 feet; S 44°19'16" E, 129.23 feet; S 7°50'22" E, 45.66 feet to a point on the Northerly line of the frontage road known as Batiste Lane, said point being marked by a set 5/8-inch diameter rebar with a yellow plastic cap stamped "PLS 4440";

Thence Westerly along said Northerly line of Batiste Lane the following eight courses and distances:
 S 86°45'14" W, 585.53 feet to a found State of Idaho right-of-way monument;
 Thence N 83°08'56" W, 150.65 feet to a found State of Idaho right-of-way monument;
 Thence S 89°18'25" W, 376.93 feet to a point of tangency with a 1372.40 foot radius curve, said point being marked by a found State of Idaho right-of-way monument;
 Thence Northwesterly along a curve to the right, said curve having a central angle of 23°42'44", a radius of 1372.40 feet and a chord bearing of N 78°50'13" W, for an arc length of 567.97 feet to a point of non-tangency, said point being marked by a found State of Idaho right-of-way monument;
 Thence N 73°14'35" W, 181.45 feet to a found State of Idaho right-of-way monument;
 Thence N 66°58'13" W, 444.69 feet to a point of tangency with a 326.48 foot radius curve, said point being marked by a found State of Idaho right-of-way monument;
 Thence Westerly along a curve to the left, said curve having a central angle of 53°41'54", a radius of 326.48 feet and a chord bearing of S 86°10'50" W, for an arc length of 305.98 feet to a point of non-tangency, said point being marked by a found State of Idaho right-of-way monument;
 Thence S 59°19'48" W, 16.83 feet to a point on the Easterly line of Tank Farm Road, said point being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence Northerly along said Easterly line of Tank Farm Road the following four courses and distances:
 N 30°40'10" W, 9.42 feet to a point of tangency with a 656.20 foot radius curve, said point being marked by a found State of Idaho right-of-way monument;
 Thence Northwesterly along a curve to the right, said curve having a central angle of 31°17'50", a radius of 656.20 feet and a chord bearing of N 15°01'15" W, for an arc length of 358.44 feet to a point of non-tangency, said point being marked by a found State of Idaho right-of-way monument;
 Thence N 0°38'07" E, 159.48 feet to a found State of Idaho right-of-way monument;
 Thence N 1°48'24" W, 354.04 feet to a point on the Southerly line of Tank Farm Road, said point being marked by a found State of Idaho right-of-way monument;

Thence N 89°26'17" W, 88.72 feet to a point on the Westerly line of Tank Farm Road, said point being marked by a found State of Idaho right-of-way monument;

Thence Southerly along said Westerly line of Tank Farm Road the following five courses and distances:
 S 2°55'58" W, 403.93 feet to a found State of Idaho right-of-way monument;
 Thence S 0°26'27" E, 109.48 feet to a point of non-tangency with a 776.20 foot radius curve, said point being marked by a found State of Idaho right-of-way monument;
 Thence Southeasterly along a curve to the left, said curve having a central angle of 31°15'29", a radius of 776.20 feet and a chord bearing of S 14°45'20" E, for an arc length of 423.46 feet to a point of non-tangency, said point being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";
 Thence S 30°40'42" E, 203.18 feet to a found State of Idaho right-of-way monument;
 Thence S 0°17'17" E, 66.23 feet to a point on the North line of Interstate 86 (I-86), said point being marked by a found State of Idaho right-of-way monument;

Thence Westerly along said North line of I-86, the following three courses and distances:
 S 77°10'00" W, 664.78 feet to a found State of Idaho right-of-way monument;
 Thence S 89°19'20" W, 312.56 feet to a point of tangency with a 11,609.10 foot radius curve, said point being marked by a found State of Idaho right-of-way monument;
 Thence Westerly along a curve to the left, said curve having a central angle of 2°27'18", a radius of 11,609.10 feet and a chord bearing of S 88°05'41" W, for an arc length of 497.42 feet to a point of non-tangency, said point being on the West line of section 7, and said point being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

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Department of Water Resources

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Thence N 0°16'19" E along the West line of said section 7, 60.89 feet to the West ¼ corner of section 7, said corner being marked by a found 1-inch diameter pipe buried 2.5 feet deep with no markings;

Thence continuing N 0°14'06" E along the West line of said section 7, 1327.23 feet to the North 1/16 corner on the West line of section 7, said corner being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence S 89°26'59" E along the North 1/16 line of section 7, 2803.14 feet to the true point of beginning.
Said parcel containing 92.3 acres, more or less.

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Department of Water Resources
Eastern Region

PARCEL 4

A parcel of land located in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of section 7, T6S, R34E, B.M., Power County, Idaho, more particularly described as follows:

Commencing at the center $\frac{1}{4}$ corner of said section 7, said corner being marked by a found 5/8-inch diameter rebar with a 2-inch aluminum cap stamped "PE/LS 4440";

Thence S $0^{\circ}00'15''$ W along the meridional centerline of section 7, 365.08 feet to a point on the South line of Interstate 86 (I-86),

Thence S $89^{\circ}18'24''$ W along the South line of I-86, 670.37 feet to a found State of Idaho right-of-way monument, said monument marking the true point of beginning;

Thence N $89^{\circ}18'24''$ E along the South line of I-86, 547.28 feet to a point on the Southeasterly deed line of instrument #69480, said point being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence S $47^{\circ}54'30''$ W along the Southeasterly deed line of instrument #69480, 410.09 feet to a point of non-tangency with a 7425.91 foot radius curve, said point being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence Westerly along a curve to the left, said curve having a central angle of $1^{\circ}26'12''$, a radius of 7425.91 feet and a chord bearing of N $86^{\circ}19'06''$ W, for an arc length of 186.19 feet to a point of non-tangency with a 497.96 foot radius curve on the Easterly line of U.S. Highway 30 North, said point being marked by set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence Northwesterly along a curve to the right, said curve having a central angle of $32^{\circ}53'30''$, a radius of 497.96 feet and a chord bearing of N $47^{\circ}07'02''$ W, for an arc length of 285.86 feet to a point of non-tangency on the South line of I-86, said point being marked by a found State of Idaho right-of-way monument;

Thence N $66^{\circ}40'39''$ E, 162.78 feet to the true point of beginning.

Said parcel containing 2.81 acres, more or less.

PARCEL 5

A parcel of land located in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of section 13, and in the S $\frac{1}{2}$ of section 12, T6S, R33E, B.M., and in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and Lot 8 of section 7, T6S, R34E, B.M., all in Power County, Idaho, said parcel being more particularly described as follows:

Beginning at the Northwest corner of said section 13; said corner being referenced by found BIA aluminum monuments Northeast and Southwest of the corner;

Thence N $0^{\circ}07'17''$ E along the West line of said section 13, 621.11 feet to a point on the Southerly line of Interstate 86 (I-86);

Thence N $68^{\circ}11'16''$ E along the Southerly line of I-86, 1889.90 feet to a point of tangency with a 11,309.10 foot radius curve, said point being marked by a found State of Idaho right-of-way monument;

Thence continuing Easterly along said Southerly line of I-86 the following six courses and distances:

Northeasterly along a curve to the right, said curve having a central angle of $21^{\circ}08'58''$, a radius of 11,309.10 feet and a chord bearing of N $78^{\circ}45'45''$ E, for an arc length of 4174.49 feet to a point of non-tangency, said point being marked by a found State of Idaho right-of-way monument;

Thence S $80^{\circ}35'46''$ E, 517.65 feet to a found State of Idaho right-of-way monument;

Thence S $71^{\circ}39'15''$ E, 301.96 feet to a point of non-tangency with a 679.41 foot radius curve, said point being marked by a found State of Idaho right-of-way monument;

Thence Easterly along a curve to the left, said curve having a central angle of $29^{\circ}14'16''$, a radius of 679.41 feet and a chord bearing of S $86^{\circ}17'19''$ E, for an arc length of 346.70 feet to a point of non-tangency with a 298.10 foot radius reverse curve, said point being marked by a found State of Idaho right-of-way monument;

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Department of Water Resources
Eastern Region

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Thence Westerly along the Northerly deed line of said instrument #96571, the following six courses and distances:

S 43°31'41" W, 783.19 feet to a found ½-inch diameter rebar with no markings;

Thence S 85°32'37" W, 1376.05 feet to a found ½-inch diameter rebar with no markings;

Thence S 51°52'07" W, 1108.11 feet to a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence S 77°14'32" W, 868.72 feet to a found ½-inch diameter rebar with no markings;

Thence S 81°39'47" W, 691.47 feet to a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence N 72°31'23" W, 1018.82 feet to a point on the West line of section 14, said point being marked by a found ½-inch diameter rebar with no markings;

Thence N 0°08'12" E along the West line of section 14, 1969.22 feet to the West ¼ corner of said section 14, said corner being marked by a found 1912 Indian Allotment brass cap monument;

Thence continuing N 0°08'13" E along the West line of section 14, 442.12 feet to a point on the Southerly line of the Union Pacific Railroad right-of-way, said point being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence Northeasterly along the Southerly line of the Union Pacific Railroad right-of-way, the following ten courses and distances:

N 72°35'24" E, 5538.33 feet to a point on the West line of section 13, said point being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence N 0°04'57" E along said West line of section 13, 20.97 feet to a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence N 72°35'24" E, 2799.37 feet to a point on the meridional centerline of section 13, said point being marked by a set 5/8-inch diameter rebar with a yellow plastic cap stamped "PLS 4440";

Thence N 0°02'28" E along said meridional centerline of section 13, 31.43 feet to a set 5/8-inch diameter rebar with a yellow plastic cap stamped "PLS 4440";

Thence N 72°35'24" E, 2441.07 feet to a point of tangency with a 6832.35 foot radius curve, said point being marked by a set 5/8-inch diameter rebar with a yellow plastic cap stamped "PLS 4440";

Thence Easterly along a curve to the right, said curve having a central angle of 2°48'05", a radius of 6832.35 feet and a chord bearing of N 73°59'26" E, for an arc length of 334.06 feet to a point of non-tangency on the East line of section 7, T6S, R34E, said point being marked by a set 5/8-inch diameter rebar with a yellow plastic cap stamped "PLS 4440";

Thence S 0°16'19" W along said East line of section 7, 12.62 feet to a point on the North line of Lot 9, section 7, said point being marked by a set 5/8-inch diameter rebar with a yellow plastic cap stamped "PLS 4440";

Thence S 89°32'35" E along the North line of said Lot 9, 49.82 feet to a point which is 75.00 feet Southeasterly, radial measurement, from the centerline of the Union Pacific Railroad West bound main line, said point being marked by a set 5/8-inch diameter rebar with a yellow plastic cap stamped "PLS 4440";

Thence Easterly along a curve to the right, said curve having a central angle of 10°00'09", a radius of 6807.35 feet and a chord bearing of N 80°46'13" E, for an arc length of 1188.41 feet to a point of non-tangency on the East deed line of instrument #67447, said point being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence S 72°39'19" W along the Easterly deed line of said instrument #67447, 24.22 feet to a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence S 0°16'19" W along the Easterly deed line of said instrument #67447, 1516.69 feet to the Southeast deed corner of instrument #67447, said corner being on the South line of section 7 and being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence N 89°32'22" W along the South deed line of said instrument #67447 and along the South line of said section 7, 449.42 feet to the Northeast deed corner of instrument #88431, said corner being marked by a set 5/8-inch diameter rebar with an aluminum cap stamped "PLS 4440";

Thence S 0°19'16" W along the East deed line of said instrument #88431, 2640.51 feet to a found ½-inch diameter rebar with no markings;

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Department of Water Resources
Eastern Region

11 - 11

Thence continuing S 0°22'23" W along the East deed line of said instrument #88431, 2638.99 feet to a found ½-inch diameter rebar with no markings;
Thence N 87°58'45" W along the South deed line of said instrument #88431, 732.09 feet to the Southwest corner of section 18, T6S, R34E, said corner being marked by a found 1978 BLM brass cap monument;
Thence S 0°08'43" W along the line between sections 19 and 24, 2535.05 feet to the East ¼ corner of section 24, T6S, R33E, said corner being marked by a found 1978 BLM brass cap monument;
Thence N 89°35'00" W along the latitudinal centerline of said section 24, 2691.27 feet to the Center ¼ corner of said section 24, said corner being marked by a found 1912 Indian Allotment brass cap;
Thence N 0°23'13" E along the meridional centerline of said section 24, 2619.70 feet to the South ¼ corner of section 13, said corner being marked by a found 1912 Indian Allotment brass cap;
Thence N 0°39'44" E along the meridional centerline of section 13, 2625.71 feet to the Center ¼ corner of said section 13, said corner being marked by a found 1912 Indian Allotment brass cap;
Thence N 88°57'33" W along the latitudinal centerline of said section 13, 2653.28 feet to the true point of beginning. Said parcel containing 1173.4 acres, more or less (after accounting for exceptions listed below).

Excepting therefrom two parcels of land more particularly described as follows:

Exception #1

Two parcels of land previously deeded to Idaho Power Company as instruments #72098 and #89548, said parcels forming one contiguous tract in the N ½ of the NE ¼ of Section 13, T6S, R33E, B.M., Power County, Idaho, and said tract being more particularly described as follows:

Commencing at the Northwest corner of section 18, T6S, R34E, said corner being marked by a found ½-inch diameter rebar with no markings;

Thence S 87°34'25" W, 917.45 feet to a set 5/8-inch diameter rebar with a yellow plastic cap stamped "PLS 4440", said rebar marking the true point of beginning;

Thence S 17°27'13" E, 494.00 feet to a set 5/8-inch diameter rebar with a yellow plastic cap stamped "PLS 4440";

Thence S 72°32'47" W, 450.00 feet to a set 5/8-inch diameter rebar with a yellow plastic cap stamped "PLS 4440";

Thence N 17°27'13" W, 494.00 feet to a set 5/8-inch diameter rebar with a yellow plastic cap stamped "PLS 4440";

Thence N 72°32'47" E, 450.00 feet to the true point of beginning.

Exception #2

A parcel of land previously deeded to El Paso Natural Gas Company as instrument #83915, said parcel being in the NE ¼ of the SE ¼ of Section 13, T6S, R33E, B.M., Power County, Idaho, and said parcel being more particularly described as follows:

Beginning at the East ¼ corner of said section 13, said corner being marked by a found 1912 Indian Allotment brass cap;

Thence S 0°10'46" W along the East line of said section 13, 208.80 feet to a found 1-inch diameter aluminum cap marked "Northwest Pipeline";

Thence N 89°49'45" W, 208.87 feet to a found 1-inch diameter aluminum cap marked "Northwest Pipeline";

Thence N 0°11'01" E, 208.82 feet to a set 5/8-inch diameter rebar with a yellow plastic cap stamped "PLS 4440";

Thence S 89°49'22" E, 208.86 feet to the true point of beginning.

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Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 20969

Proof of Application of Water to Beneficial Use
Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Taylor Darden, 42 years of age, residing at Pocatello, Idaho, Staff Assistant Food Machinery & Chemical Corporation, Westvaco Chemical Division, Pocatello, Idaho, plant.

Ques. 2. Are you acquainted with Food Machinery & Chemical Corp., Westvaco Chemical Division holder of Permit No. 20969? How long have you known him and where does he reside?

Ans. Yes, I have been an employee of such corporation and its predecessor since March 16, 1946, formerly at Carteret, New Jersey and with the Pocatello plant since

Ques. 3. Have you read or heard read said Permit No. 20969, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Each well has a Pueris type well pump and is housed in galvanized steel building. There has been installed 250,000 gallon water standpipe; 2300 feet 8 inch pipe line to standpipe; 2100 feet of 10 inch pipe line to standpipe; 2400 feet 12 inch pipe line to standpipe; additional pipe to fire hydrants and numerous plant facilities; 100 feet of 18 inch pipe line and approximately 4500 feet of open ditch to the point of discharge.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use and how much water have you seen being so conveyed?

Ans. 6.34 cu. feet per second.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. Well No. 1 - 1800 gallons per minute. Measured with Orifice
Well No. 2 - 2000 " " " " " "

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WR Microfiche 29-2284
6/24/2001

WR Microfiche 29-2284

20969

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Used for industrial purposes. The plant is located upon lands in Sections 12 and 13, Township 5 South, Range 33 E.S.M.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. For industrial uses.

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. Yes. I am an employee, being Staff Assistant for the Pocatello plant.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I am constantly on the premises and have personal knowledge of the amount of water used and have witnessed the operation of the pumps and the amount of water produced thereby.

(Signed)

Samuel Nordin

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in AMERICAN FALLS,

County of Pomeroy

State of Idaho, on this 1st day of June

A. D. 1931

Oliver
Notary Public
for Idaho, residing at Pocatello, Idaho.

My commission expires August 12, 1931.

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20969

Top 65 R 33 E



P.D. #1 = 160' N. of Section line
390' W. of N-S. p. line of Section 12

#3 = 190' East of Section line
490' South of N. Sec. line (Sec 13)

Allow full
amount of filling

#2 = 372' N. of corner
12' East of Sec. line

#1 Well has recently
been brought from
hampden

Copy = 500 yds

4 in. of water
7 deep

Take into hampden then
into Portneuf

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From WR License File Microfiche

20969

STATE OF IDAHO
DEPARTMENT OF REVENUE
BOISE, IDAHO

STATE OF IDAHO
DEPARTMENT OF REVENUE
BOISE, IDAHO

Permit No. 20965

This proof is for: Beneficial use

In Water District No.

1. Name of applicant: Neativa Chemical Division, Food Machinery & Chemical Corporation, District No.
 2. Source of water supply: Underground from two wells
Box 1608, Pocatello, Idaho
 3. Location of point of diversion: Is in the Stg Stg?
T 6 S. R. 3 E. County of Pocat of Section 13

Decide how far they exist giving dimensions and capacities of same. Each of these pumps are located in an oil water pump house. These work as electric iron and the coverings is galvanized sheeting. The house over well No. 1 is 9 ft. by 8 ft. by 8 ft. high. There is a concrete floor in each house and one to the north and one to the south in each house that can be opened for ventilation during hot weather. Well No. 1 has a concrete pump No. E7756-5 size 1½ in. hole. It is down in the well from the surface column is 10 in. Well is 196 ft. deep by 16 in. bore casing to the bottom. Motor is 2 H.P. 440 V. 3 phase 1800 r.p.m. Pump capacity is 1200 c.p.m. actual at normal at 1500 c.p.m. Switches and controls are Square D. Stetler P. is 68 ft. deep down 15 ft. Operation is at 76 lbs. pressure. Water is pumped into an underground line that leads to manufacturing purposes.

... of the river of hot water has been turned into works of diversion ... X66

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Place of use: Plant of company in Sections 12 and 13, Twp. 6 South, Range 33 East, B.N.M.
 Place of use is correct as indicated.

of the order is 65, between 100 and 150, well no.

down. This is a Rogers pump No. 8-157. It has been down for 6 ft. from the surface.

Model No. 35 motor, 5300 r.p.m. This pump is identical with pump No. 1.

20. If the generator by 114 ft. high, then capacity increased at 170,000 gal.

8. What large stream would the water have come from? (Summit map on attached plat, showing location and details of above description.)

Remarks: This letter is being sent to you. 508/1179

resolving to retain and protect and directly where it pertains to the use of simple property. It is also retained to the extent of the simple property and into a mutual fund into the Portland River. It is also retained to the use of simple property and used for retaining a place of a river on the simple property and seems to have extremely beneficial results in the form of the amount of Portland River jet score.

This exemption will made on the

16th day of April 1952

(Signed) E. D. Kennedy

20808

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State of Idaho License and Certificate of Water Right

Water License No. 10000
 Water District No. 10000

THIS IS TO CERTIFY that SANDRAC COLUMBIA, PHYSICIAN, 1000 1ST STREET S. SPOKANE, IDAHO, has made application for a permit to divert water from the State of Idaho, dated March 2, 1948, that permits the diversion of water from the State of Idaho, dated March 2, 1948, showing a capacity of 10000 cubic feet per second.

Public waters of the State of Idaho, dated March 2, 1948, that permits the diversion of water from the State of Idaho, dated March 2, 1948, showing a capacity of 10000 cubic feet per second. The second first was issued November 10, 1948, and the third was completed on the 10th day of April 1949.

of 10000 cubic feet per second. The second first was issued November 10, 1948, and the third was completed on the 10th day of April 1949. The first was issued November 10, 1948, and the second was issued November 10, 1948.

under said Permit No. 10000, of the State of Idaho, dated March 2, 1948, that permits the diversion of water from the State of Idaho, dated March 2, 1948, showing a capacity of 10000 cubic feet per second. The second first was issued November 10, 1948, and the third was completed on the 10th day of April 1949.

The right hereby granted shall extend to the use of said water for the purpose of irrigation, and that said right to the use of said water has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho as a right of record in Volume 10000 of Licenses of said State, on the 10th day of April 1949.

The Point of Diversion is located in the SE 1/4 of Section 1, Township 1 N., Range 1 E., and the amount of water to which said right is entitled and hereby confirmed for the purpose of irrigation, is located to an amount actually needed and beneficial use for said purpose, and shall be ascertained by the State Reclamation Engineer of Idaho.

Description and location of use:			
Type	Size	Portion of the	Annual Diversion
1. Irrigation	10000	at the Company located at the intersection of the State of Idaho, dated March 2, 1948, that permits the diversion of water from the State of Idaho, dated March 2, 1948, showing a capacity of 10000 cubic feet per second.	10000
2. Domestic	10000	at the Company located at the intersection of the State of Idaho, dated March 2, 1948, that permits the diversion of water from the State of Idaho, dated March 2, 1948, showing a capacity of 10000 cubic feet per second.	10000
3. Industrial	10000	at the Company located at the intersection of the State of Idaho, dated March 2, 1948, that permits the diversion of water from the State of Idaho, dated March 2, 1948, showing a capacity of 10000 cubic feet per second.	10000
4. Power	10000	at the Company located at the intersection of the State of Idaho, dated March 2, 1948, that permits the diversion of water from the State of Idaho, dated March 2, 1948, showing a capacity of 10000 cubic feet per second.	10000
5. Other	10000	at the Company located at the intersection of the State of Idaho, dated March 2, 1948, that permits the diversion of water from the State of Idaho, dated March 2, 1948, showing a capacity of 10000 cubic feet per second.	10000

WITNESSES the seal and signature of the State Reclamation Engineer of Idaho, dated March 2, 1948, that permits the diversion of water from the State of Idaho, dated March 2, 1948, showing a capacity of 10000 cubic feet per second.

MAY 10 2001

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-02284

Date Received: 6/17/1988

Receipt No: E00 9079Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FMC CORP.
Address: P.O. BOX 4111
POCATELLO, ID 83202
2. Date of Priority: MAR 02, 1949
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	Count
06S	33E	12	SE	SW			POWER
		13	NW	NW			POWER

5. Description of diverting works:
WELL, 125 HP ELECTRIC MOTOR, 8"PIPE TO 12" MAIN LINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
INDUSTRIAL			4.500		

7. Total Quantity Appropriated is:
4.500 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 2500.0 Acre Feet Per Annum.

9. Non-irrigation uses:
I/MANUFACTURING.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	33E	12				INDUST	
		13				INDUST	

A29-02284

Page 1

Date: 06/14/89

A2902284



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11. Place of use in counties: POWER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A29-02301.

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 20969

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Energy Manager of
Title
FMC Corp., that I have signed the foregoing
Organization
document in the space below as Energy Manager of
Title
FMC Corp. and that the statements contained in the
Organization
foregoing document are true and correct.

R.L. Mills
Signature of Authorized Agent

FMC Corp. Energy Manager
Title and Organization

June 14, 1989
Date

State of Idaho

County of

Bonneville

) SS.
)

Subscribed and sworn (or affirmed) before me this 14th day

of

June

19

89

Anthony S. Olmick
Notary Public

Seal

Residing at

Idaho Falls

My Commission Expires

9/12/1994

AJ0749NP
No. A29-02284

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/02/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ASTARIS IDAHO LLC 10300 OLIVE BLVD ST LOUIS MO 63166 (208) 236-8658	03/02/1949	INDUSTRIAL	00-00 00-00	4.500 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					4.500 CFS	2500.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T06S R33E S12
S13

SESW
NWNW

POWER County
POWER County

Place of use Legal Description for: INDUSTRIAL

		NE				NW				SW				SE			
T	R S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SESW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
06S	33E 12	:		:		:		:		:		:		:		:	
06S	33E 13	:		:		:		:		:		:		:		:	

POU County: POWER

Non-Irrigation Uses: I/MANUFACTURING.

Other Rights: A29-02301.

Remarks: GEN CHANGED OWNERSHIP PER REQUEST/JC/5-2-00

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag: