

RECEIVED

Rev. 07/18

Jun 08, 2022

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) Itafos Conda LLCCheck whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.Yes ☐ N/A ☐ * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☐ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☐ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☐ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at idwr.idaho.gov/water-rights/transfers/resources.html.
- ☒ ☐ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☒ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☐ ☒ #10 Other. Please describe: _____

JUN 13 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant(s) Itafos Conda LLC Phone _____
Mailing address 3010 Conda Road, Soda Springs, ID 83276 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

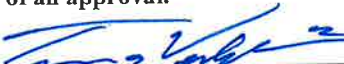
Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative _____ Phone _____
Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

 Tim A. Vedoe III, G.M. 6/2/2022
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
If yes, ☐ attach an explanation and any supporting documentation labeled as **Part 1A.2**.

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.3**.

We'd like the flexibility for dust suppression at the Rasmussen Valley Mine, Tipple, and the H1NDR mine sites. The Rasmussen Valley Mine is currently in operation and will continue into reclamation as mining will begin at the H1NDR mines. The nature of use will not change and remain for the use to suppress dust and wash equipment.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	27-7540	0.89/135.2	Mining and Industrial	01/01 to 12/31	Groundwater
☒ ☐	27-7417	1.11/67.5	Mining and Industrial	01/01 to 12/31	Groundwater
☒ ☐	27-7057	2.00/33.1	Mining and Industrial	01/01 to 12/31	Groundwater
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 4.00 cfs and/or 235.8 acre-feet.

2. Total amount of water proposed to be transferred or changed 4.00 cubic feet per second and/or 235.8 acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			SW	SW	26	06S	43E	Caribou	Groundwater	
			SW	SW	26	06S	43E	Caribou	Groundwater	
			SW	NW	26	07S	43E	Caribou	Groundwater	
			SW	NW	26	07S	43E	Caribou	Groundwater	
			NW	NE	22	07S	43E	Caribou	Groundwater	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	44E	31						X(1)	X(2)			X(3)	X(4)	X			X		
		32			X				X	X			X			X	X	X	
07S	43E	3						X(4)	X(3)	X	X	X	X			X	X		
		10			X		X	X		X	X					X	X		
		14							X		X	X							
		15	X	X			X												
Total Acres (for irrigation use)																			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. _____

Point of Diversion/Place of Use Supplement

Attachment to: ☐ Application for Permit to Appropriate Water ☒ Application for Transfer** ☐ Adjudication Claim
☐ Application for Amendment of Permit ☐ Beneficial Use Field Report ☐ Statutory Claim

Location of points of diversion (POD):

New POD?	Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or well/diversion tag #
☐ Yes	07S	43E	27			NE	NE	Caribou	Groundwater	
☐ Yes	07S	44E	9			SW	NE	Caribou	Groundwater	
☒ Yes	08S	44E	15			NW	NW	Caribou	Groundwater	
☒ Yes	08S	44E	15			NE	SW	Caribou	Groundwater	
☒ Yes	08S	44E	14			SE	NW	Caribou	Groundwater	
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										

Description of place of use (POU):

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	44E	4			X(2)	X(1)			X(4)	X(3)	X	X	X	X	X	X	X	X	
		5			X(2)	X(1)			X(4)	X(3)	X	X	X	X	X	X	X	X	
		6			X(2)	X(1)			X(4)	X(7)	X				X	X	X	X	
		7		X		X	X			X	X				X	X			
		8	X	X	X	X	X			X	X				X	X			
		9		X	X		X	X	X	X	X	X				X			
06S	43E	22															X	X	
		23							X		X	X	X	X			X		
		25									X	X		X					
		26	X	X		X			X			X	X		X				
		27	X	X	X	X													
		33												X	X	X	X		
		34	X	X	X		X	X	X	X		X							

**If this supplemental sheet is for an Application for Transfer, insert this page into Part 1B of the application.

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Post-Transfer Place of Use – Amended Mining and Industrial

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	43E	9													X	X	X	X	
06S	43E	10																	
06S	43E	15																	
06S	43E	16	X				X	X											
06S	43E	22	X	X	X										X				
06S	43E	23																	
06S	43E	25																	
06S	43E	26	X																
06S	43E	27																	
06S	43E	33																	
06S	43E	34	X	X	X		X	X							X	X	X		
06S	43E	35	X	X	X		X	X							X	X	X	X	
06S	43E	36	X	X	X		X	X							X	X	X	X	
06S	44E	31																	
06S	44E	32																	
07S	43E	3																	
07S	43E	10																	
07S	43E	14																	
07S	43E	15	X	X															
07S	44E	4																	

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	44E	5																	
07S	44E	6																	
07S	44E	6																	
07S	44E	7	X	X	X	X													
07S	44E	8	X	X	X	X													
07S	44E	9	X	X	X	X													
07S	44E	17																	
07S	44E	20																	
07S	44E	21																	
07S	44E	28	X	X	X	X													
07S	44E	33	X	X	X	X													
07S	44E	34																	
08S	44E	3																	
08S	44E	4	X	X	X	X													
08S	44E	5																	
08S	44E	9	X	X	X	X													
08S	44E	10	X	X	X	X													
08S	44E	13																	
08S	44E	14																	
08S	44E	15	X	X	X	X													
08S	44E	22																	
08S	44E	23	X	X	X	X													
08S	44E	24																	
08S	44E	25	X	X	X	X													
08S	45E	30																	
08S	45E	31	X	X	X	X													
08S	45E	32																	

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Department of Water Resources
Eastern Region

86432

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. _____

Point of Diversion/Place of Use Supplement

Attachment to: ☐ Application for Permit to Appropriate Water ☒ Application for Transfer** ☐ Adjudication Claim
☐ Application for Amendment of Permit ☐ Beneficial Use Field Report ☐ Statutory Claim

Location of points of diversion (POD):

New POD?	Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or well/diversion tag #
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										

Description of place of use (POU):

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6S	43E	35	X	X	X	X	X	X							X			X	
		36	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
7S	44E	17																X	
		20	X			X													
		21						X	X	X	X	X	X	X					
		28		X	X		X			X	X			X		X	X		
		33	X	X	X	X	X								X	X		X	
		34										X	X						
8S	44E	4	X(1)	X(2)	X	X							X	X	X	X	X	X	
		3						X(4)	X	X	X	X	X	X			X		
		9	X	X		X		X							X				
		10		X	X	X	X		X	X	X	X	X	X	X	X	X	X	
		15	X	X		X	X	X	X	X	X	X	X	X					

**If this supplemental sheet is for an Application for Transfer, insert this page into Part 1B of the application.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Ident. No. _____

Point of Diversion/Place of Use Supplement

Attachment to: ☐ Application for Permit to Appropriate Water
☐ Application for Amendment of Permit

☒ Application for Transfer**
☐ Beneficial Use Field Report

☐ Adjudication Claim
☐ Statutory Claim

Location of points of diversion (POD):

New POD?	Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or well/diversion tag #
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										
☐ Yes										

Description of place of use (POU):

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8E	44E	14						X	X	X	X	X		X		X	X	X	
		13											X						
		22					X												
		23	X	X		X													
		24			X		X	X	X	X	X	X		X		X	X		
		25	X	X	X	X	X							X					
8S	45E	30							X(2)		X	X(3)	X(4)	X		X	X	X	
		31	X	X	X	X	X			X				X	X				
		32						X	X			X							

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**If this supplemental sheet is for an Application for Transfer, insert this page into Part 1B of the application.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

The new PODs will be groundwater wells that will be limited by the size of the pump and have a lock placed on the well cap.

- b. Who owns the property at the point(s) of diversion? Itafos Conda LLC and U.S. Government

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
Access to the property is arranged through special use permits and federal phosphate leases.

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

If yes, ☒ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: Oaktree Fund Administration, LLC - Mortgage

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?

If yes, ☐ complete Attachment WSB.

- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:

N/A

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

N/A

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 27-7417

Current Owner: ITAFOS CONDA LLC
Priority Date: 1/7/1986
Origin: Water Right
Status: Active
Basis: License

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
INDUSTRIAL	01/01 to 12/31	1.11 CFS	67.5 AF
MINING	01/01 to 12/31	1.11 CFS	67.5 AF
	<u>Total Diversion</u>	1.11 CFS	67.5 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SW1/4	Sec. 15,	Twp 06S,	Rge 43E B.M.
CARIBOU County				
GROUND WATER	NW1/4SW1/4	Sec. 26,	Twp 06S,	Rge 43E B.M.
CARIBOU County				
GROUND WATER	NW1/4SW1/4	Sec. 26,	Twp 06S,	Rge 43E B.M.
CARIBOU County				
GROUND WATER	NW1/4NE1/4	Sec. 22,	Twp 07S,	Rge 43E B.M.
CARIBOU County				
GROUND WATER	SE1/4NW1/4	Sec. 26,	Twp 07S,	Rge 43E B.M.
CARIBOU County				
GROUND WATER	SW1/4NW1/4	Sec. 26,	Twp 07S,	Rge 43E B.M.
CARIBOU County				
GROUND WATER	SW1/4NW1/4	Sec. 26,	Twp 07S,	Rge 43E B.M.
CARIBOU County				
GROUND WATER	SE1/4NE1/4	Sec. 27,	Twp 07S,	Rge 43E B.M.
CARIBOU County				
GROUND WATER	SW1/4NE1/4	Sec. 9,	Twp 07S,	Rge 44E B.M.
CARIBOU County				

Place of Use

INDUSTRIAL Within CARIBOU County

T06S R43E S9	NESE	T06S R43E S9	NWSE
T06S R43E S9	SWSE	T06S R43E S9	SESE
T06S R43E S10	SWSW	T06S R43E S15	NENW
T06S R43E S15	NWNW	T06S R43E S15	SWNW
T06S R43E S15	SESW	T06S R43E S15	NESW

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T06S R43E S15	NWSW
T06S R43E S15	SESW
T06S R43E S15	SWSE
T06S R43E S16	NENE
T06S R43E S22	NWNE
T06S R43E S22	SENE
T06S R43E S22	NESE
T06S R43E S22	SESE
T06S R43E S23	NESW
T06S R43E S23	SWSW
T06S R43E S23	SWSE
T06S R43E S25	NWSW
T06S R43E S26	NENE
T06S R43E S26	SENE
T06S R43E S26	NWSW
T06S R43E S26	NESE
T06S R43E S27	NWNE
T06S R43E S27	SENE
T06S R43E S33	NESE
T06S R43E S33	SWSE
T06S R43E S34	NWNE
T06S R43E S34	NENW
T06S R43E S34	SWNW
T06S R43E S34	NWSW
T06S R43E S35	NWNE
T06S R43E S35	SENE
T06S R43E S35	NWNW
T06S R43E S35	SESE
T06S R43E S36	NWNE
T06S R43E S36	SENE
T06S R43E S36	NWNW
T06S R43E S36	SENW
T06S R43E S36	NWSW
T06S R43E S36	SESW
T06S R43E S36	NWSE
T06S R43E S36	SESE
T06S R44E S31	Lot 2 SWNW
T06S R44E S31	Lot 4 SWSW
T06S R44E S31	SWSE
T06S R44E S32	SENW
T06S R44E S32	SESW
T06S R44E S32	SWSE
T07S R43E S3	Lot 4 SWNW
T07S R43E S3	NESW
T07S R43E S3	SWSW
T07S R43E S10	NENW
T07S R43E S10	SENW
T07S R43E S10	NWSE

T06S R43E S15	SWSW
T06S R43E S15	NWSE
T06S R43E S15	SESE
T06S R43E S22	NENE
T06S R43E S22	SWNE
T06S R43E S22	NENW
T06S R43E S22	SWSE
T06S R43E S23	SWNW
T06S R43E S23	NWSW
T06S R43E S23	SESW
T06S R43E S25	NESW
T06S R43E S25	SESW
T06S R43E S26	NWNE
T06S R43E S26	SWNW
T06S R43E S26	SWSW
T06S R43E S27	NENE
T06S R43E S27	SWNE
T06S R43E S33	SESW
T06S R43E S33	NWSE
T06S R43E S34	NENE
T06S R43E S34	SWNE
T06S R43E S34	NWNW
T06S R43E S34	SENW
T06S R43E S35	NENE
T06S R43E S35	SWNE
T06S R43E S35	NENW
T06S R43E S35	NESE
T06S R43E S36	NENE
T06S R43E S36	SWNE
T06S R43E S36	NENW
T06S R43E S36	SWNW
T06S R43E S36	NESW
T06S R43E S36	SWSW
T06S R43E S36	NESE
T06S R43E S36	SWSE
T06S R44E S31	Lot 1 NWNW
T06S R44E S31	Lot 3 NWSW
T06S R44E S31	SESW
T06S R44E S32	SWNE
T06S R44E S32	NESW
T06S R44E S32	NWSE
T06S R44E S32	SESE
T07S R43E S3	Lot 3 SENW
T07S R43E S3	NWSW
T07S R43E S10	SWNE
T07S R43E S10	NWNW
T07S R43E S10	NESW
T07S R43E S10	SWSE

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T07S R43E S14		SWNW
T07S R43E S14		SWSW
T07S R43E S15		NWNE
T07S R44E S4	Lot 2	SWNE
T07S R44E S4	Lot 4	SWNW
T07S R44E S4		NESW
T07S R44E S4		SWSW
T07S R44E S4		NESE
T07S R44E S4		SWSE
T07S R44E S5	Lot 2	SWNE
T07S R44E S5	Lot 4	SWNW
T07S R44E S5		NESW
T07S R44E S5		SWSW
T07S R44E S5		NESE
T07S R44E S5		SWSE
T07S R44E S6	Lot 2	SWNE
T07S R44E S6	Lot 4	SWNW
T07S R44E S6	Lot 7	SENE
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T07S R44E S6		SWSE
T07S R44E S7		NWNE
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T07S R44E S9		NWNE
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T07S R44E S9		SWNW
T07S R44E S9		NESW
T07S R44E S9		NWSE

T07S R43E S14		NWSW
T07S R43E S15		NENE
T07S R43E S15		SENE
T07S R44E S4	Lot 1	SENE
T07S R44E S4	Lot 3	SENE
T07S R44E S4		NWSW
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T07S R44E S4		NWSE
T07S R44E S4		SESE
T07S R44E S5	Lot 1	SENE
T07S R44E S5	Lot 3	SENE
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T07S R44E S5		SESW
T07S R44E S5		NWSE
T07S R44E S5		SESE
T07S R44E S6	Lot 1	SENE
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T07S R44E S6		NWSE
T07S R44E S6		SESE
T07S R44E S7		SENE
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T07S R44E S8		NENE
T07S R44E S8		SWNE
T07S R44E S8		NENW
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T07S R44E S8		NWSE
T07S R44E S9		SWNE
T07S R44E S9		NWNW
T07S R44E S9		SENE
T07S R44E S9		NWSW

MINING Within CARIBOU County

T06S R43E S9	NESE
T06S R43E S9	SWSE
T06S R43E S10	SWSW
T06S R43E S15	NWNW
T06S R43E S15	SENE
T06S R43E S15	NWSW
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T06S R43E S15	SWSE
T06S R43E S16	NENE
T06S R43E S22	NWNE
T06S R43E S22	SENE
T06S R43E S22	NESE

T06S R43E S9	NWSE
T06S R43E S9	SESE
T06S R43E S15	NENW
T06S R43E S15	SWNW
T06S R43E S15	NESW
T06S R43E S15	SWSW
T06S R43E S15	NWSE
T06S R43E S15	SESE
T06S R43E S22	NENE
T06S R43E S22	SWNE
T06S R43E S22	NENW
T06S R43E S22	SWSE

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T06S R43E S22		SESE	T06S R43E S23		SWNW
T06S R43E S23		NESW	T06S R43E S23		NWSW
T06S R43E S23		SWSW	T06S R43E S23		SESW
T06S R43E S23		SWSE	T06S R43E S25		NESW
T06S R43E S25		NWSW	T06S R43E S25		SESW
T06S R43E S26		NENE	T06S R43E S26		NWNE
T06S R43E S26		SENE	T06S R43E S26		SWNW
T06S R43E S26		NWSW	T06S R43E S26		SWSW
T06S R43E S26		NESE	T06S R43E S27		NENE
T06S R43E S27		NWNE	T06S R43E S27		SWNE
T06S R43E S27		SENE	T06S R43E S33		SESW
T06S R43E S33		NESE	T06S R43E S33		NWSE
T06S R43E S33		SWSE	T06S R43E S34		NENE
T06S R43E S34		NWNE	T06S R43E S34		SWNE
T06S R43E S34		NENW	T06S R43E S34		NWNW
T06S R43E S34		SWNW	T06S R43E S34		SENW
T06S R43E S34		NWSW	T06S R43E S35		NENE
T06S R43E S35		NWNE	T06S R43E S35		SWNE
T06S R43E S35		SENE	T06S R43E S35		NENW
T06S R43E S35		NWNW	T06S R43E S35		NESE
T06S R43E S35		SESE	T06S R43E S36		NENE
T06S R43E S36		NWNE	T06S R43E S36		SWNE
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T06S R43E S36		NWSW	T06S R43E S36		SWSW
T06S R43E S36		SESW	T06S R43E S36		NESE
T06S R43E S36		NWSE	T06S R43E S36		SWSE
T06S R43E S36		SESE	T06S R44E S31	Lot 1	NWNW
T06S R44E S31	Lot 2	SWNW	T06S R44E S31	Lot 3	NWSW
T06S R44E S31	Lot 4	SWSW	T06S R44E S31		SESW
T06S R44E S31		SWSE	T06S R44E S32		SWNE
T06S R44E S32		SENW	T06S R44E S32		NESW
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T07S R43E S3	Lot 4	SWNW	T07S R43E S3	Lot 3	SENW
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T07S R43E S10		NWSE	T07S R43E S10		SWSE
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T07S R44E S4	Lot 2	SWNE	T07S R44E S4	Lot 1	SENE
T07S R44E S4	Lot 4	SWNW	T07S R44E S4	Lot 3	SENW
T07S R44E S4		NESW	T07S R44E S4		NWSW
T07S R44E S4		SWSW	T07S R44E S4		SESW

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T07S R44E S4		NESE	T07S R44E S4		NWSE
T07S R44E S4		SWSE	T07S R44E S4		SESE
T07S R44E S5	Lot 2	SWNE	T07S R44E S5	Lot 1	SENE
T07S R44E S5	Lot 4	SWNW	T07S R44E S5	Lot 3	SENW
T07S R44E S5		NESW	T07S R44E S5		NWSW
T07S R44E S5		SWSW	T07S R44E S5		SESW
T07S R44E S5		NESE	T07S R44E S5		NWSE
T07S R44E S5		SWSE	T07S R44E S5		SESE
T07S R44E S6	Lot 2	SWNE	T07S R44E S6	Lot 1	SENE
T07S R44E S6	Lot 4	SWNW	T07S R44E S6		SENW
T07S R44E S6	Lot 7	SENW	T07S R44E S6		NESW
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T07S R44E S6		SWSE	T07S R44E S6		SESE
T07S R44E S7		NWNE	T07S R44E S7		SENE
T07S R44E S7		NENW	T07S R44E S7		SENW
T07S R44E S7		NESW	T07S R44E S7		NESE
T07S R44E S7		NWSE	T07S R44E S8		NENE
T07S R44E S8		NWNE	T07S R44E S8		SWNE
T07S R44E S8		SENE	T07S R44E S8		NENW
T07S R44E S8		NESW	T07S R44E S8		NWSW
T07S R44E S8		NESE	T07S R44E S8		NWSE
T07S R44E S9		NWNE	T07S R44E S9		SWNE
T07S R44E S9		NENW	T07S R44E S9		NWNW
T07S R44E S9		SWNW	T07S R44E S9		SENW
T07S R44E S9		NESW	T07S R44E S9		NWSW
T07S R44E S9		NWSE			

Conditions of Approval:

1. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
2. 004 This right does not grant any right-of-way or easement across the land of another.
3. Mining and industrial use is for dust suppression and equipment washing.
4. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Licensed Date: 7/29/1996

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 27-7540

Current Owner: ITAFOS CONDA LLC
Priority Date: 3/27/1991
Origin: Water Right
Status: Active
Basis: License

Source**Tributary**

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MINING	01/01 to 12/31	0.89 CFS	135.2 AF
INDUSTRIAL	01/01 to 12/31	0.89 CFS	135.2 AF
	<u>Total Diversion</u>	0.89 CFS	135.2 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4	Sec. 22,	Twp 07S,	Rge 43E B.M.
CARIBOU County				
GROUND WATER	SE1/4NW1/4	Sec. 26,	Twp 07S,	Rge 43E B.M.
CARIBOU County				
GROUND WATER	SW1/4NW1/4	Sec. 26,	Twp 07S,	Rge 43E B.M.
CARIBOU County				
GROUND WATER	SW1/4NW1/4	Sec. 26,	Twp 07S,	Rge 43E B.M.
CARIBOU County				
GROUND WATER	NE1/4SW1/4	Sec. 15,	Twp 06S,	Rge 43E B.M.
CARIBOU County				
GROUND WATER	NW1/4SW1/4	Sec. 26,	Twp 06S,	Rge 43E B.M.
CARIBOU County				
GROUND WATER	NW1/4SW1/4	Sec. 26,	Twp 06S,	Rge 43E B.M.
CARIBOU County				
GROUND WATER	SE1/4NE1/4	Sec. 27,	Twp 07S,	Rge 43E B.M.
CARIBOU County				
GROUND WATER	SW1/4NE1/4	Sec. 9,	Twp 07S,	Rge 44E B.M.
CARIBOU County				

Place of Use**INDUSTRIAL Within CARIBOU County**

T06S R43E S9	NESE	T06S R43E S9	NWSE
T06S R43E S9	SWSE	T06S R43E S9	SESE
T06S R43E S10	SWSW	T06S R43E S15	NENW
T06S R43E S15	NWNW	T06S R43E S15	SWNW
T06S R43E S15	SESW	T06S R43E S15	NESW

T06S R43E S15		NWSW
T06S R43E S15		SESW
T06S R43E S15		SWSE
T06S R43E S16		NENE
T06S R43E S22		NWNE
T06S R43E S22		SENE
T06S R43E S22		NESE
T06S R43E S22		SESE
T06S R43E S23		NESW
T06S R43E S23		SWSW
T06S R43E S23		SWSE
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T06S R43E S26		NENE
T06S R43E S26		SENE
T06S R43E S26		NWSW
T06S R43E S26		NESE
T06S R43E S27		NWNE
T06S R43E S27		SENE
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T06S R43E S33		SWSE
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T06S R43E S34		NENW
T06S R43E S34		SWNW
T06S R43E S34		NWSW
T06S R43E S35		NWNE
T06S R43E S35		SENE
T06S R43E S35		NWNW
T06S R43E S35		SESE
T06S R43E S36		NWNE
T06S R43E S36		SENE
T06S R43E S36		NWNW
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T06S R43E S36		SESW
T06S R43E S36		NWSE
T06S R43E S36		SESE
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T06S R44E S31	Lot 4	SWSW
T06S R44E S31		SWSE
T06S R44E S32		SENW
T06S R44E S32		SESW
T06S R44E S32		SWSE
T07S R43E S3	Lot 4	SWNW
T07S R43E S3		NESW
T07S R43E S3		SWSW
T07S R43E S10		NENW
T07S R43E S10		SENW
T07S R43E S10		NWSE

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T07S R43E S14		SWNW
T07S R43E S14		SWSW
T07S R43E S15		NWNE
T07S R44E S4	Lot 2	SWNE
T07S R44E S4	Lot 4	SWNW
T07S R44E S4		NESW
T07S R44E S4		SWSW
T07S R44E S4		NESE
T07S R44E S4		SWSE
T07S R44E S5	Lot 2	SWNE
T07S R44E S5	Lot 4	SWNW
T07S R44E S5		NESW
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T07S R44E S5		NESE
T07S R44E S5		SWSE
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T07S R44E S9		SWNW
T07S R44E S9		NESW
T07S R44E S9		NWSE

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T07S R43E S15		NENE
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T07S R44E S4	Lot 3	SENW
T07S R44E S4		NWSW
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T07S R44E S9		SWNE
T07S R44E S9		NWNW
T07S R44E S9		SENW
T07S R44E S9		NWSW

MINING Within CARIBOU County

T06S R43E S9	NESE
T06S R43E S9	SWSE
T06S R43E S10	SWSW
T06S R43E S15	NWNW
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T06S R43E S16	NENE
T06S R43E S22	NWNE
T06S R43E S22	SENE
T06S R43E S22	NESE

T06S R43E S9	NWSE
T06S R43E S9	SESE
T06S R43E S15	NENW
T06S R43E S15	SWNW
T06S R43E S15	NESW
T06S R43E S15	SWSW
T06S R43E S15	NWSE
T06S R43E S15	SESE
T06S R43E S22	NENE
T06S R43E S22	SWNE
T06S R43E S22	NENW
T06S R43E S22	SWSE

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T06S R43E S22		SESE
T06S R43E S23		NESW
T06S R43E S23		SWSW
T06S R43E S23		SWSE
T06S R43E S25		NWSW
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T07S R43E S15		NWNE
T07S R44E S4	Lot 2	SWNE
T07S R44E S4	Lot 4	SWNW
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T07S R44E S4		SWSW

T06S R43E S23		SWNW
T06S R43E S23		NWSW
T06S R43E S23		SESW
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T07S R43E S3	Lot 3	SENW
T07S R43E S3		NWSW
T07S R43E S10		SWNE
T07S R43E S10		NWNW
T07S R43E S10		NESW
T07S R43E S10		SWSE
T07S R43E S14		NWSW
T07S R43E S15		NENE
T07S R43E S15		SENE
T07S R44E S4	Lot 1	SENE
T07S R44E S4	Lot 3	SENW
T07S R44E S4		NWSW
T07S R44E S4		SESW

Page _____ of _____

T07S R44E S4		NESE	T07S R44E S4		NWSE
T07S R44E S4		SWSE	T07S R44E S4		SESE
T07S R44E S5	Lot 2	SWNE	T07S R44E S5	Lot 1	SENE
T07S R44E S5	Lot 4	SWNW	T07S R44E S5	Lot 3	SENW
T07S R44E S5		NESW	T07S R44E S5		NWSW
T07S R44E S5		SWSW	T07S R44E S5		SESW
T07S R44E S5		NESE	T07S R44E S5		NWSE
T07S R44E S5		SWSE	T07S R44E S5		SESE
T07S R44E S6	Lot 2	SWNE	T07S R44E S6	Lot 1	SENE
T07S R44E S6	Lot 4	SWNW	T07S R44E S6		SENW
T07S R44E S6	Lot 7	SENW	T07S R44E S6		NESW
T07S R44E S6		NESE	T07S R44E S6		NWSE
T07S R44E S6		SWSE	T07S R44E S6		SESE
T07S R44E S7		NWNE	T07S R44E S7		SENE
T07S R44E S7		NENW	T07S R44E S7		SENW
T07S R44E S7		NESW	T07S R44E S7		NESE
T07S R44E S7		NWSE	T07S R44E S8		NENE
T07S R44E S8		NWNE	T07S R44E S8		SWNE
T07S R44E S8		SENE	T07S R44E S8		NENW
T07S R44E S8		NESW	T07S R44E S8		NWSW
T07S R44E S8		NESE	T07S R44E S8		NWSE
T07S R44E S9		NWNE	T07S R44E S9		SWNE
T07S R44E S9		NENW	T07S R44E S9		NWNW
T07S R44E S9		SWNW	T07S R44E S9		SENW
T07S R44E S9		NESW	T07S R44E S9		NWSW
T07S R44E S9		NWSE			

Conditions of Approval:

1. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
4. Mining and industrial use is for dust suppression and equipment washing.
5. 004 This right does not grant any right-of-way or easement across the land of another.

Licensed Date: 2/11/1997

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 27-7057

Current Owner: ITAFOS CONDA LLC
Priority Date: 12/18/1975
Origin: Water Right
Status: Active
Basis: License

Source**Tributary**

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MINING	1/01 to 12/31	2 CFS	33.1 AF
INDUSTRIAL	1 /1 to 12/31	2 CFS	33.1 AF
	<u>Total Diversion</u>	2 CFS	33.1 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SW1/4	Sec. 15,	Twp 06S,	Rge 43E B.M.
CARIBOU County				
GROUND WATER	NW1/4SW1/4	Sec. 26,	Twp 06S,	Rge 43E B.M.
CARIBOU County				
GROUND WATER	NW1/4SW1/4	Sec. 26,	Twp 06S,	Rge 43E B.M.
CARIBOU County				
GROUND WATER	NW1/4NE1/4	Sec. 22,	Twp 07S,	Rge 43E B.M.
CARIBOU County				
GROUND WATER	SE1/4NW1/4	Sec. 26,	Twp 07S,	Rge 43E B.M.
CARIBOU County				
GROUND WATER	SW1/4NW1/4	Sec. 26,	Twp 07S,	Rge 43E B.M.
CARIBOU County				
GROUND WATER	SW1/4NW1/4	Sec. 26,	Twp 07S,	Rge 43E B.M.
CARIBOU County				
GROUND WATER	SE1/4NE1/4	Sec. 27,	Twp 07S,	Rge 43E B.M.
CARIBOU County				
GROUND WATER	SW1/4NE1/4	Sec. 9,	Twp 07S,	Rge 44E B.M.
CARIBOU County				

Place of Use**INDUSTRIAL Within CARIBOU County**

T06S R43E S9	NESE	T06S R43E S9	NWSE
T06S R43E S9	SWSE	T06S R43E S9	SESE
T06S R43E S10	SWSW	T06S R43E S15	NENW
T06S R43E S15	NWNW	T06S R43E S15	SWNW
T06S R43E S15	SESW	T06S R43E S15	NESW

Page _____ of _____

T06S R43E S15		NWSW
T06S R43E S15		SESW
T06S R43E S15		SWSE
T06S R43E S16		NENE
T06S R43E S22		NWNE
T06S R43E S22		SENE
T06S R43E S22		NESE
T06S R43E S22		SESE
T06S R43E S23		NESW
T06S R43E S23		SWSW
T06S R43E S23		SWSE
T06S R43E S25		NWSW
T06S R43E S26		NENE
T06S R43E S26		SENE
T06S R43E S26		NWSW
T06S R43E S26		NESE
T06S R43E S27		NWNE
T06S R43E S27		SENE
T06S R43E S33		NESE
T06S R43E S33		SWSE
T06S R43E S34		NWNE
T06S R43E S34		NENW
T06S R43E S34		SWNW
T06S R43E S34		NWSW
T06S R43E S35		NWNE
T06S R43E S35		SENE
T06S R43E S35		NWNW
T06S R43E S35		SESE
T06S R43E S36		NWNE
T06S R43E S36		SENE
T06S R43E S36		NWNW
T06S R43E S36		SENE
T06S R43E S36		NWSE
T06S R43E S36		SESE
T06S R44E S31	Lot 2	SWNW
T06S R44E S31	Lot 4	SWSW
T06S R44E S31		SWSE
T06S R44E S32		SENE
T06S R44E S32		SESW
T06S R44E S32		SWSE
T07S R43E S3	Lot 4	SWNW
T07S R43E S3		NESW
T07S R43E S3		SWSW
T07S R43E S10		NENW
T07S R43E S10		SENE
T07S R43E S10		NWSE

T06S R43E S15		SWSW
T06S R43E S15		NWSE
T06S R43E S15		SESE
T06S R43E S22		NENE
T06S R43E S22		SWNE
T06S R43E S22		NENW
T06S R43E S22		SWSE
T06S R43E S23		SWNW
T06S R43E S23		NWSW
T06S R43E S23		SESW
T06S R43E S25		NESW
T06S R43E S25		SESW
T06S R43E S26		NWNE
T06S R43E S26		SWNW
T06S R43E S26		SWSW
T06S R43E S27		NENE
T06S R43E S27		SWNE
T06S R43E S33		SESW
T06S R43E S33		NWSE
T06S R43E S34		NENE
T06S R43E S34		SWNE
T06S R43E S34		NWNW
T06S R43E S34		SENE
T06S R43E S35		SWNE
T06S R43E S35		NENW
T06S R43E S35		NESE
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T06S R43E S36		SWNE
T06S R43E S36		NENW
T06S R43E S36		SWNW
T06S R43E S36		NESW
T06S R43E S36		SWSW
T06S R43E S36		NESE
T06S R43E S36		SWSE
T06S R44E S31	Lot 1	NWNW
T06S R44E S31	Lot 3	NWSW
T06S R44E S31		SESW
T06S R44E S32		SWNE
T06S R44E S32		NESW
T06S R44E S32		NWSE
T06S R44E S32		SESE
T07S R43E S3	Lot 3	SENE
T07S R43E S3		NWSW
T07S R43E S10		SWNE
T07S R43E S10		NWNW
T07S R43E S10		NESW
T07S R43E S10		SWSE

Page _____ of _____

T07S R43E S14		SWNW
T07S R43E S14		SWSW
T07S R43E S15		NWNE
T07S R44E S4	Lot 2	SWNE
T07S R44E S4	Lot 4	SWNW
T07S R44E S4		NESW
T07S R44E S4		SWSW
T07S R44E S4		NESE
T07S R44E S4		SWSE
T07S R44E S5	Lot 2	SWNE
T07S R44E S5	Lot 4	SWNW
T07S R44E S5		NESW
T07S R44E S5		SWSW
T07S R44E S5		NESE
T07S R44E S5		SWSE
T07S R44E S6	Lot 2	SWNE
T07S R44E S6	Lot 4	SWNW
T07S R44E S6	Lot 7	SENE
T07S R44E S6		NESE
T07S R44E S6		SWSE
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T07S R44E S8		NWNE
T07S R44E S8		SENE
T07S R44E S8		NESW
T07S R44E S8		NESE
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T07S R44E S9		NENW
T07S R44E S9		SWNW
T07S R44E S9		NESW
T07S R44E S9		NWSE

T07S R43E S14		NWSW
T07S R43E S15		NENE
T07S R43E S15		SENE
T07S R44E S4	Lot 1	SENE
T07S R44E S4	Lot 3	SENE
T07S R44E S4		NWSW
T07S R44E S4		SESW
T07S R44E S4		NWSE
T07S R44E S4		SESE
T07S R44E S5	Lot 1	SENE
T07S R44E S5	Lot 3	SENE
T07S R44E S5		NWSW
T07S R44E S5		SESW
T07S R44E S5		NWSE
T07S R44E S5		SESE
T07S R44E S6	Lot 1	SENE
T07S R44E S6		SENE
T07S R44E S6		NESW
T07S R44E S6		NWSE
T07S R44E S6		SESE
T07S R44E S7		SENE
T07S R44E S7		SENE
T07S R44E S7		NESE
T07S R44E S8		NENE
T07S R44E S8		SWNE
T07S R44E S8		NENW
T07S R44E S8		NWSW
T07S R44E S8		NWSE
T07S R44E S9		SWNE
T07S R44E S9		NWNW
T07S R44E S9		SENE
T07S R44E S9		NWSW

MINING Within CARIBOU County

T06S R43E S9	NESE
T06S R43E S9	SWSE
T06S R43E S10	SWSW
T06S R43E S15	NWNW
T06S R43E S15	SENE
T06S R43E S15	NWSW
T06S R43E S15	SESW
T06S R43E S15	SWSE
T06S R43E S16	NENE
T06S R43E S22	NWNE
T06S R43E S22	SENE
T06S R43E S22	NESE

T06S R43E S9	NWSE
T06S R43E S9	SESE
T06S R43E S15	NENW
T06S R43E S15	SWNW
T06S R43E S15	NESW
T06S R43E S15	SWSW
T06S R43E S15	NWSE
T06S R43E S15	SESE
T06S R43E S22	NENE
T06S R43E S22	SWNE
T06S R43E S22	NENW
T06S R43E S22	SWSE

Page _____ of _____

T06S	R43E	S22		SESE
T06S	R43E	S23		NESW
T06S	R43E	S23		SWSW
T06S	R43E	S23		SWSE
T06S	R43E	S25		NWSW
T06S	R43E	S26		NENE
T06S	R43E	S26		SENE
T06S	R43E	S26		NWSW
T06S	R43E	S26		NESE
T06S	R43E	S27		NWNE
T06S	R43E	S27		SENE
T06S	R43E	S33		NESE
T06S	R43E	S33		SWSE
T06S	R43E	S34		NWNE
T06S	R43E	S34		NENW
T06S	R43E	S34		SWNW
T06S	R43E	S34		NWSW
T06S	R43E	S35		NWNE
T06S	R43E	S35		SENE
T06S	R43E	S35		NWNW
T06S	R43E	S35		SESE
T06S	R43E	S36		NWNE
T06S	R43E	S36		SENE
T06S	R43E	S36		NWNW
T06S	R43E	S36		SENW
T06S	R43E	S36		NWSW
T06S	R43E	S36		SESW
T06S	R43E	S36		NWSE
T06S	R43E	S36		SESE
T06S	R44E	S31	Lot 2	SWNW
T06S	R44E	S31	Lot 4	SWSW
T06S	R44E	S31		SWSE
T06S	R44E	S32		SENW
T06S	R44E	S32		SESW
T06S	R44E	S32		SWSE
T07S	R43E	S3	Lot 4	SWNW
T07S	R43E	S3		NESW
T07S	R43E	S3		SWSW
T07S	R43E	S10		NENW
T07S	R43E	S10		SENW
T07S	R43E	S10		NWSE
T07S	R43E	S14		SWNW
T07S	R43E	S14		SWSW
T07S	R43E	S15		NWNE
T07S	R44E	S4	Lot 2	SWNE
T07S	R44E	S4	Lot 4	SWNW
T07S	R44E	S4		NESW
T07S	R44E	S4		SWSW

Page _____ of _____

T07S R44E S4		NESE	T07S R44E S4		NWSE
T07S R44E S4		SWSE	T07S R44E S4		SESE
T07S R44E S5	Lot 2	SWNE	T07S R44E S5	Lot 1	SENE
T07S R44E S5	Lot 4	SWNW	T07S R44E S5	Lot 3	SENW
T07S R44E S5		NESW	T07S R44E S5		NWSW
T07S R44E S5		SWSW	T07S R44E S5		SESW
T07S R44E S5		NESE	T07S R44E S5		NWSE
T07S R44E S5		SWSE	T07S R44E S5		SESE
T07S R44E S6	Lot 2	SWNE	T07S R44E S6	Lot 1	SENE
T07S R44E S6	Lot 4	SWNW	T07S R44E S6		SENW
T07S R44E S6	Lot 7	SENW	T07S R44E S6		NESW
T07S R44E S6		NESE	T07S R44E S6		NWSE
T07S R44E S6		SWSE	T07S R44E S6		SESE
T07S R44E S7		NWNE	T07S R44E S7		SENE
T07S R44E S7		NENW	T07S R44E S7		SENW
T07S R44E S7		NESW	T07S R44E S7		NESE
T07S R44E S7		NWSE	T07S R44E S8		NENE
T07S R44E S8		NWNE	T07S R44E S8		SWNE
T07S R44E S8		SENE	T07S R44E S8		NENW
T07S R44E S8		NESW	T07S R44E S8		NWSW
T07S R44E S8		NESE	T07S R44E S8		NWSE
T07S R44E S9		NWNE	T07S R44E S9		SWNE
T07S R44E S9		NENW	T07S R44E S9		NWNW
T07S R44E S9		SWNW	T07S R44E S9		SENW
T07S R44E S9		NESW	T07S R44E S9		NWSW
T07S R44E S9		NWSE			

Conditions of Approval:

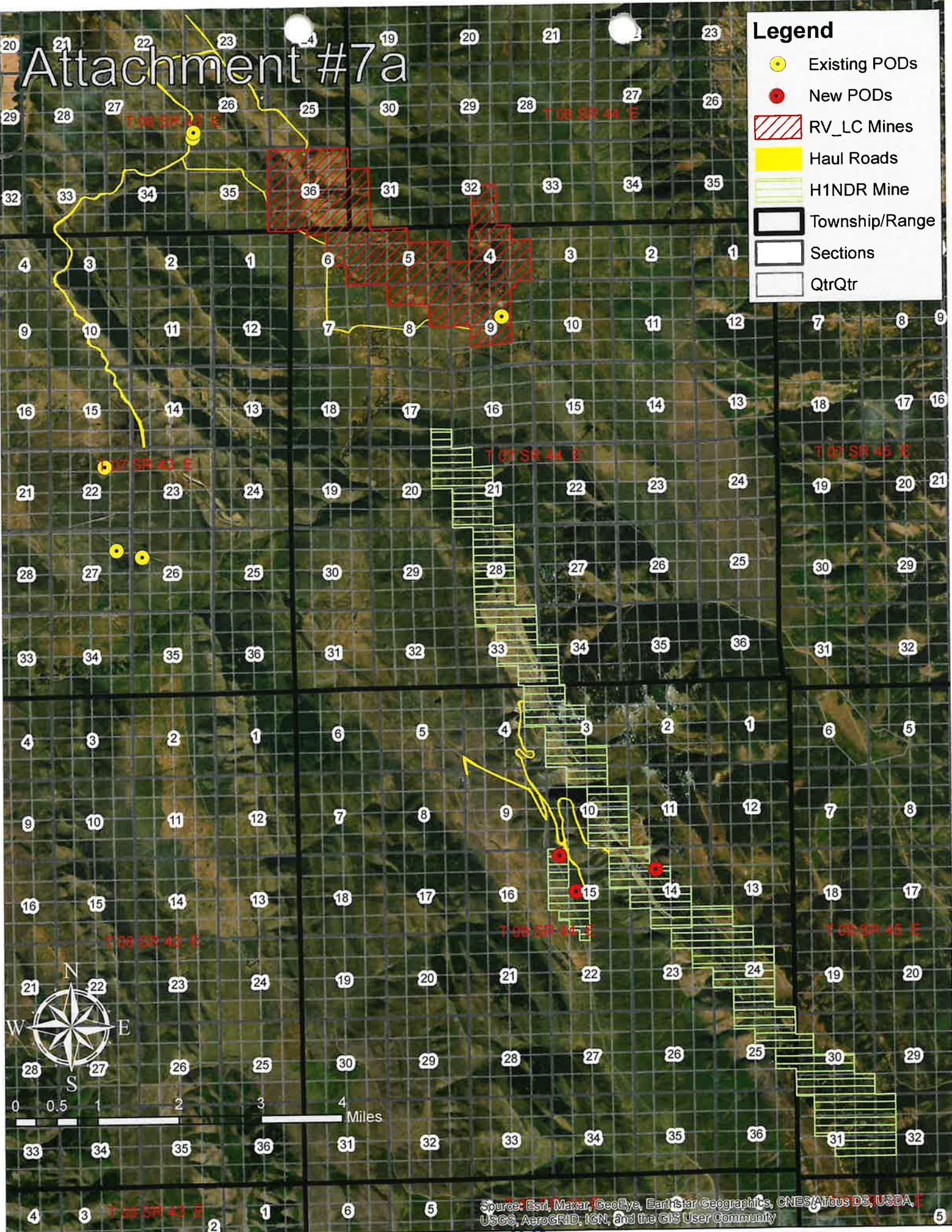
1. Mining and industrial use is for dust suppression and equipment washing.
2. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 004 This right does not grant any right-of-way or easement across the land of another.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.

Licensed Date: 11/13/1998

Attachment #7a

Legend

- Existing PODs
- New PODs
- RV_LC Mines
- Haul Roads
- H1NDR Mine
- Township/Range
- Sections
- QtrQtr



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Attachment 6a

Notarized Statement

[Attached.]

OAKTREE FUND ADMINISTRATION, LLC

**MORTGAGEE'S NOTARIZED CONSENT TO APPLICATION OF
TRANSFER OF WATER RIGHT**

Idaho Department of Water Resources
Attn: Blake Jordan
900 North Skyline Drive, Suite A
Idaho Falls, Idaho

Re: Consent to the Filing of an Application to Transfer Water Rights,
Involving Water Rights 27-7540, 27-7417, and 27-7057

Dear Mr. Jordan:

I file this statement (the "Statement") on behalf of Oaktree Fund Administration, LLC, a Delaware limited liability company ("Oaktree"). Oaktree, as administrative agent under that certain Credit Agreement and Guaranty dated as of August 25, 2021, holds a mortgage lien on and security interests in the above-referenced water rights and has liens on the land to which the water rights are currently appurtenant, as evidenced by that certain Mortgage, Fixture Filing and Security Agreement, dated as of January 12, 2022, by Itafos Conda LLC, a Delaware limited liability company ("Itafos") in favor of Oaktree (the "Mortgage"). A copy of the Mortgage is attached hereto as Exhibit A.

The owner, Itafos, has caused to be prepared a transfer application (the "Application", a copy of which is attached hereto as Exhibit B), proposing to accomplish the following:

The purpose of the transfer is to add diversion points. Itafos would like the flexibility for dust suppression at the Rasmussen Valley Mine, Tipple, and the H1NDR mine sites. The Rasmussen Valley Mine is currently in operation and will continue into reclamation as mining will begin at the HNDR mines. The nature of use will not change and remain for the use to suppress dust and wash equipment.

This notarized statement confirms that Oaktree consents to the transfers described in the Application. Oaktree consents to this Statement being filed as Attachment #6 to the Application. Oaktree reserves the right to review and consider any proposed modifications to the Application and requests notice of any proposed modification of, and notice of any protest filed against, any the Application.

When the Application is filed, please send date-stamped copies to the undersigned's attorney by e-mail. The attorney's contact information is:

Sullivan & Cromwell LLP
125 Broad Street
New York, New York 10004
Attention: Ari B. Blaut, Esq.
Telephone: (212) 558-4000
Email: blauta@sullcrom.com

Please contact the undersigned if you have questions about this letter or if you require anything else from Oaktree at this time.

DATED this 31st day of May 2022.

Oaktree Fund Administration, LLC

By: Oaktree Capital Management, L.P.
Its: Managing Member

By: 
Name: Henry Orren
Title: Senior Vice President

By: 
Name: Maria Attaar
Title: Vice President

CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Los Angeles)

On May 31, 2022, before me, Rebecca Susan Kessel, Notary Public, personally appeared Henry Orren and Maria Attaar who proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



(Seal of Notary)


Rebecca Susan Kessel
Notary Public

Fritz, Cooper

From: Braden Lott <Braden.Lott@Itafos.com>
Sent: Monday, July 11, 2022 8:15 AM
To: Fritz, Cooper
Subject: RE: Itafos WR transfer shapefiles

Cooper,

I'm good with the description.

Thanks,
Braden

Braden Lott
Project Mgr, Mining and Reclamation
3010 Conda Road, Soda Springs, ID 83276
Direct: 208-909-5371 | Cell: 208-339-5086
Braden.Lott@itafos.com

ITAFOS  CONDA LLC

From: Fritz, Cooper <Cooper.Fritz@idwr.idaho.gov>
Sent: Thursday, June 30, 2022 4:53 PM
To: Braden Lott <Braden.Lott@Itafos.com>
Subject: RE: Itafos WR transfer shapefiles

WARNING: The sender of this email could not be validated and may not match the person in the "From" field.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Braden,

Thanks for the shapefiles. I merged them and intersected that result with our QQ layer. The merger returned the attached PLSS printout. If the shapefile crossed even a little into a surrounding QQ, it was included in the PLSS.

I then went through the edge of the shape. I think removing the QQs in red will use yield the post-transfer description.

Is the description ok with you?

From: Braden Lott <Braden.Lott@Itafos.com>
Sent: Wednesday, June 29, 2022 2:56 PM
To: Fritz, Cooper <Cooper.Fritz@idwr.idaho.gov>
Subject: RE: Itafos WR transfer shapefiles

Sounds good, here is a zipped folder with the shape files. I do want the haul roads included in the place of use.

Thanks!
Braden

Braden Lott
Project Mgr, Mining and Reclamation
3010 Conda Road, Soda Springs, ID 83276
Direct: 208-909-5371 | Cell: 208-339-5086
Braden.Lott@itafos.com

ITAFOS CONDA LLC

From: Fritz, Cooper <Cooper.Fritz@idwr.idaho.gov>
Sent: Wednesday, June 29, 2022 2:41 PM
To: Braden Lott <Braden.Lott@Itafos.com>
Subject: RE: Itafos WR transfer shapefiles

WARNING: The sender of this email could not be validated and may not match the person in the "From" field.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks, Braden. At this point in time, the zip files with the individual shapes would be easier to work with.

Also, do you want to the haul roads included in the place of use?

From: Braden Lott <Braden.Lott@Itafos.com>
Sent: Wednesday, June 29, 2022 2:30 PM
To: Fritz, Cooper <Cooper.Fritz@idwr.idaho.gov>
Cc: Jon Goode <Jon.Goode@itafos.com>
Subject: Itafos WR transfer shapefiles

Hi Cooper,

I created a map package that should have all the shapefiles along with the attributes. I figure this might make it easier on your end, if this doesn't though, I can send you a zipped folder with the individual shapefiles.

Thanks,
Braden

Braden Lott
Project Mgr, Mining and Reclamation
3010 Conda Road, Soda Springs, ID 83276
Direct: 208-909-5371 | Cell: 208-339-5086
Braden.Lott@itafos.com

ITAFOS CONDA LLC

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IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

July 21, 2022

ITAFOS CONDA LLC
ATTN JON GOODE
3010 CONDA RD
SODA SPRINGS, ID 83276-5301

RE: Transfer No. 86432
Water Right No(s). 27-7057, 27-7417, 27-7540

Dear Applicant:

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the CARIBOU COUNTY SUN on 7/28/2022 and 8/4/2022. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Christina Henman
Administrative Assistant

Henman, Christina

From: Henman, Christina
Sent: Thursday, July 21, 2022 12:30 PM
To: 'ccsun10@aol.com'
Subject: Legal Notice for Caribou County Sun
Attachments: 86432 Caribou County Sun.docx

LEGAL NOTICE DEPARTMENT
CARIBOU COUNTY SUN
PO BOX 815
SODA SPRINGS, ID 83276

RE: Transfer No. 86432
Water Right No(s). 27-7057, 27-7417, 27-7540

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 8/15/2022. Your cooperation is appreciated.

Sincerely,

Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 86432**

ITAFOS CONDA LLC, ATTN JON GOODE, 3010 CONDA RD, SODA SPRINGS, ID 83276-5301 has filed Application No. 86432 for changes to the following water rights within CARIBOU County(s): Right No(s). 27-7057, 27-7417, 27-7540; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: add point of diversion, change points of diversion, and change place of use. The proposed points of diversion are in SWSW (2 wells) Sec 26 T06S R43E; SWNW (2 wells) Sec 26, NWNE Sec 22, and NENE Sec 27, T07S R43E; SWNE Sec 9 T07S R44E; NWNW and NESW Sec 15, and SENW Sec 14, T08S R44E for 4.00 cfs from ground water. The proposed place of use is in T06S R43E, T06S R44E, T07S R43E, T07S R44E, T08S R44E, and T08S R45E for Mining and Industrial purposes.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 8/15/2022. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 7/28/2022 and 8/4/2022