

T3959 CHEMSTAR LIME

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

OCT 19 1992

APPROVED

Name of applicant Chemstar Lime Company Phone 602-955-5711
 Post Office address 2800 N. 44th Street, Suite 400, Phoenix, AZ 85008

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. Describe the reason for the proposed changes To make water available for Chemstar Lime's
mine and plant near Bancroft, Idaho.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number G-22216 Priority 6/18/51 Amount 0.12 cfs Nature of Use Mining, mineral processing, Industrial, domestic, fire protection and environmental Period of Use 1/1 to 12/31
0.43 *
2. Total amount of water being transferred 0.12 * cubic feet per second and/or 87 acre-feet per annum.
3. Source of water groundwater 0.43 tributary to N/A (but within the Portneuf River Basin)
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NE	SW	3	8S	40E	Caribou	Tenmile Plant Well
					8S			

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	40E	34				X	X	X	X	X	X	X	X	X	X	X	X	X	N/A
7S	40E	35							X			X	X						N/A
8S	40E	3	X	X			X	X	X+0	X									N/A
8S	40E	4				W													N/A

RECEIVED

JUL 21 1992

PART 1

6. General Information:

- a. Description of diversion system Well approximately 500 feet deep with 483 feet of steel casing and a 15 horsepower pump. Water from the well is piped to the Chemstar facility.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
The 296 acres of crop land currently under irrigation will be reduced by 34.8 acres to provide the necessary 87 acres feet of water required by the Chemstar mine and plant assuming 2.5 acre feet of water is necessary per acre of irrigated crop.
- d. Remarks:

See attachment A.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 29-02305B

And said application is hereby APPROVED, subject to the following limitations and conditions:
SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this

7th

day of

October

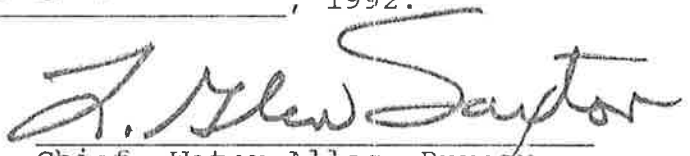
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J. Glen Saylor
CHIEF, WATER ALLOC. BUREAU

CONDITIONS OF APPROVAL
Transfer of Water Rights
No. 29-02305B

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. Approval of this transfer expires upon the expiration of the lease agreement on April 15, 1995. If the lease is extended, the transfer will remain in effect throughout the extension period. A new application for transfer must be filed before water can be returned to the original point of diversion and place of use.

Dated this 7th day of October, 1992.


for Chief, Water Alloc. Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A: DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
in case of _____ vs. _____

dated _____ in _____ county of _____

b. License No. G-22216/29-2305 * issued by the Idaho Department of Water Resources.

c. Claim No. _____ on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Ground water tributary to N/A (but within the Portneuf River basin)

4. Date or priority June 18, 1951

5. Water is used for the following purpose:

amount 740 acre feet * for irrigation purposes from 4/1 to 11/1
(cfs/ac-ft) 3.44 for _____ purposes from _____ to _____
(cfs/ac-ft) _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____ for _____ purposes from _____ to _____

6. Total amount of water under right 3.44 cubic feet per second and/or 740 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NW	SW	6	8S	40E	Caribou	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8S	40E	6						40	40										80
8S	40E	7						40											40
8S	39E	1				40								40				40	120
8S	39E	12	40			40													80

Total acres 320

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of 11 or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 87 ac-ft for irrigation purposes from 4/1 to 11/1 *
 (cfs/ac-ft) 0.43 * for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion: PART B

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NW	SW	6	85	40E	Caribou	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
85	40E	7						40											40

Total acres 40

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 3.01 * for irrigation purposes from 4/1 to 11/1
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion: PART A

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NW	SW	6	85	40E	Caribou	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
85	40E	6						40	40										80
85	39E	1				40									40			40	120
85	39E	12	40			40													80

Total acres 280

PART 3**B. CHANGES IN NATURE OF USE**

1. * New Nature of Use Amount * Hours/days/year * Period of Use
 (cfs/ac-ft)
 mining, mine processing, industrial 87 ac-ft 0.43 24 hrs/day 1/1 to 12/31
~~domestic, fire protection & environmental~~ to _____

See attached sheet

2. Quantity and quality of return flows and location of discharge:

No return flow

3. Describe effects on other water uses resulting from the proposed change:

None.* Changes made by Jim Johnson 7/13/92

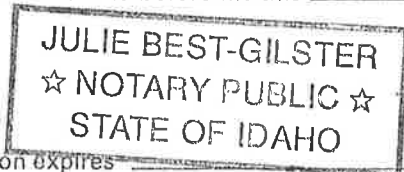
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this

9th

day of

July, 19 92

Julie Best-Gilster
 (Notary Public)

My commission expires

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by Jim Date 7-13-92 Protest filed by _____Prelim. check by G.S. Fee \$50.00Receipted by Juanbrough/S. Carter Date 7/15/92 #C024430-20% #C024932-30%Published in Caribou County Sun Copies of protest forwarded by _____Pub. dates 7-16 & 23-92 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial_____ rec'd. _____ by RDC

Copy of transfer sent to lien holder _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

