

T5820 ASTARIS PRODUCTION LLC

Eastern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5820
WATER RIGHT NO. 27-07057

RECEIVED

OCT 30 2000

Department of Water Resources
Eastern Region

This is to certify that: **ASTARIS PRODUCTION LLC**
PO BOX 839
SODA SPRINGS ID 83276

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
MINING	01/01 to 12/31	2.00 CFS	33.1 AF

SOURCE

GROUNDWATER

Priority: 12/18/1975

LOCATION OF POINT(S) OF DIVERSION:

SENW , Sec. 16, Township 08S, Range 44E
CARIBOU County

PLACE OF USE: MINING

TWN RGE SEC

08S 44E	5	NESW	NWSW	SESW
		SWSE		
	8	NENE	NWNE	SWNE
		SENE	NENW	NESE
		SESE		
	9	NWNW	SWNW	SENW
		NESW	NWSW	SWSW
		SESW		
	15	SWNW	NWSW	SWSW
		SESW		
	16	NWNE	SWNE	SENE
		NENW	NWNW	SENW
		NESE	NWSE	SWSE
		SESE		
	21	NENE		
	22	NENW	NWNW	SWNW
		SENW		

TRANSFER NO. 5820
WATER RIGHT NO. 27-07057

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. The well previously used under Right 27-07057 shall be abandoned in a manner which complies with Department well abandonment rules.
5. Mining use is for ore processing and dust abatement for the haul road.

Dated this 25th day of October, 2000.


Chief, Water Allocation Bureau

AUG 08 2000

Page 1 of 6

STATE OF IDAHO Department of
DEPARTMENT OF WATER RESOURCES Eastern

Department of Water Resources
Eastern Region

Transfer No. 582

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant ASTARIS PRODUCTION LLC (FORMERLY FMC) Phone 208-547-2700
Post Office address P.O. BOX 839 SODA SPRINGS, ID. 83276

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 DUE TO PROGRESSION OF MINING SOUTHWARD, EXISTING WATER WELL, (RIGHT #27-07057) IS NO LONGER PHYSICALLY OR FEASIBLY USEABLE. MINING OPERATION REQUIRES A WATER WELL IN VICINITY OF ACTIVE OPERATION

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

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
- 27-07057 DEC. 18, 1975 2.0 CFS MINING 01/01 to 12/31
- _____ to _____
- _____ to _____
- _____ to _____
- _____ to _____
2. Total amount of water being transferred 2.0 cubic feet per second and/or 33.1 acre-feet per annum.
3. Source of water GROUND WATER tributary to _____
4. Point(s) of Diversion: _____

[illegible]

5. Lands irrigated or place of use:

[illegible]

PART 1

6. General Information:

a. Description of diversion system 8" WATER WELL, 6" - 20 HP PUMP, 4" DISCHARGE LINE.

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:

NO MINING ACTIVITY IS OR WILL BE OCCURRING IN THE VICINITY OF THE EXISTING WELL.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Applcation for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

PART 2

TRANS NO. 5820

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 27-07057

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
MINING	01/01 to 12/31	2.00 CFS	33.1 AF

SOURCE

GROUNDWATER

Priority: 12/18/1975

LOCATION OF POINT(S) OF DIVERSION:NESW, Sec. 31, Township 07S, Range 44E
CARIBOU CountyPLACE OF USE:

MINING

				NE				NW				SW				SE																					
				NENE	NWNE	SWNE	SENE	:				NENW	NWNW	SWNW	SENW	:				NESW	NWSW	SWSW	SESW	:				NESE	NWSE	SWSE	SESE	:					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:					
07S	44E	31	:											:	M		M				M		:	M				M				:				M	:
08S	44E	5	:											:							M		:	M		M		M				:					:
08S	44E	6	:		M		M							:									:									:					:
08S	44E	8	:		M		M							:									:									:					:

CONDITIONS/REMARKS:

1. Mining use is for ore processing and dust abatement for the haul road.

Describe any other water rights used for the same purpose as described above:

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? NO If yes, describe:

Page 4 of 6

TRANS NO. 5820

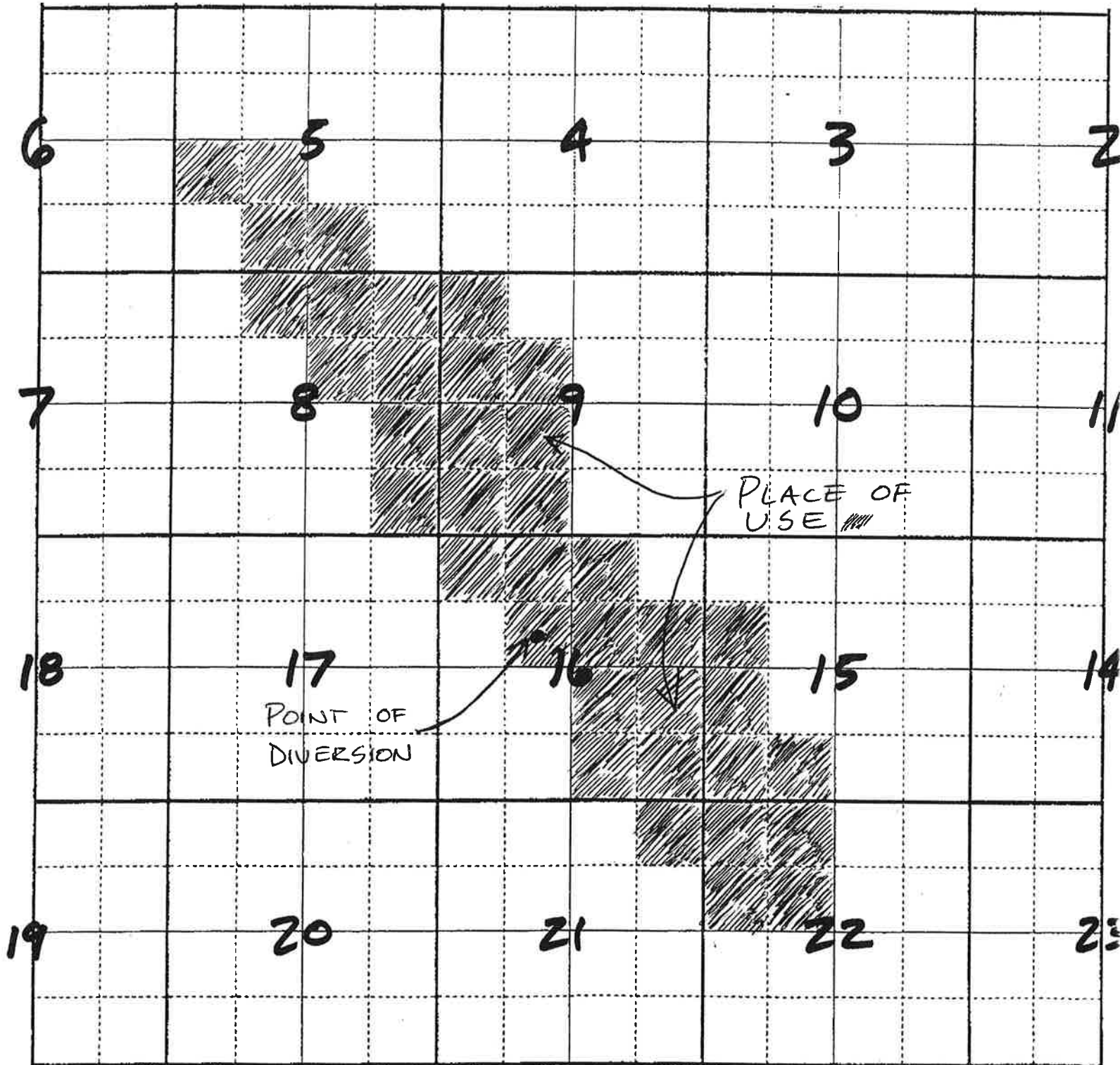
Water Right No. 27-07057

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 _____

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.



T8S, R44E, B.M.

SCALE: 2 inches equal 1 mile. Draw plan in ink.

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

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

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

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

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 28th day of July, 2000.

Day R. Rosh (Dry Valley mine manager)
(Signature of Applicant)

Karen M. Crane
(Notary Public)

My commission expires May, 2005

FOR DEPARTMENT USE ONLYTransfer contains 6 pages and 0 attachmentsReceived by HWT Date 8-9-00 Protest filed by _____Prelim. check by _____ Fee \$290.00Receipted by HWT #E026050 Date 8-9-00Published in Caribou County Sun Copies of protest forwarded by _____Pub. dates Aug 16 & 23, 2000. Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____