

Bergendorf, Scott

From: Kerner, Dale [DKerner@haleyaldrich.com]
Sent: Tuesday, October 28, 2014 10:04 AM
To: Bergendorf, Scott
Cc: katy.bergholm@agrium.com; Tippetts, John; Al Haslam
Subject: LCMP Dust Suppression Water Right Transfer - Landowner Acknowledgement
Attachments: RE: UPDATED: Water right transfer application for NuWest Industries

Categories: Red Category

Mr. Bergendorf,

Per your request in the attached email, Agrium's representative Mr. John Tippetts has notified landowners included within the area of proposed use of the water right for dust suppression, requesting their acknowledgement of the water right and proposed use on their land.

Landowners notified included:

- Bear Lake Grazing Company
- Caribou County Road and Bridge
- U.S. Forest Service
- U.S. Bureau of Land Management
- Idaho Department of Lands
- Idaho Fish and Game

Responses to Mr. Tippetts' emails and dates of receipt from landowner representatives are provided below. If you require more documentation to finalize the water right transfer application, please let me know.

Landowner representative	Date of Response	Representative Response
Bear Lake Grazing	8/23/2014 (email)	John, Bear Lake Grazing Co. has no objections to the transfer of water rights. Joan Bunderson, Managing Partner, Bear Lake Grazing Co.
Caribou County Road and Bridge	8/14/2014 (email)	John, As our talk the county don't have any issues with the transfer thanks. Kim Spencer - ccrb
U.S. Forest Service	8/26/2014 (email)	John, I do not believe the Forest Service has any comments. Thanks Jack Jack L. Isaacs
U.S. Bureau of Land Management	8/26/2014 (email)	John, Sorry about the delay getting back with you. I have received direction from our water rights branch in BLM's

		Idaho State Office. They ☐ e responded with the following direction. We are asking that NuWest incorporate the four conditions listed below into the water right transfer. Give me a call after you've had a chance to review. -J 1) This right does not grant any right-of-way or easement across the land of another. 2) This right does not constitute State of Idaho and United States approvals that may be required for water using activities associated with mining of state and federal public lands. 3) Use of the water and access to the place of use are subject to separate lease and/or easement agreements with the State of Idaho and United States of America. 4) The use of water for mining purposes is for dust abatement within the place of use described above, and for general mining purposes within lease boundaries issued by the United States Jeff Cundick - BLM
Idaho Department of Lands	8/27/2014 (email)	John, I did not have any comments Gary Billman - IDL
Idaho Department of Fish and Game	8/1/2014 (email)	John: We have no objections to either the transfer or the establishment of a new POD. Jim Mende - IDFG

Thanks

Dale

Dale A. Kerner, P.G.
 Mining Services Manager
HALEY & ALDRICH
 702 W. Idaho St.
 Suite 310
 Boise, ID 83702
 Office: 208.336.1080
 Cell: 208.870.7993
dkerner@HaleyAldrich.com
www.HaleyAldrich.com

IMPORTANT NOTICE ! This E-Mail transmission and any accompanying attachments may contain confidential information intended only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this E-Mail by anyone other than the intended recipient is strictly prohibited and is not intended to, in anyway, waive privilege or confidentiality. If you have received this E-Mail in error please immediately delete it and notify sender at the above E-Mail address. Agrium uses state of the art anti-virus technology on all incoming and outgoing E-Mail. We encourage and promote the use of safe E-Mail management practices and recommend you check this, and all other E-Mail and attachments you receive for the presence of viruses. The sender and Agrium accept no liability for any damage caused by a virus or otherwise by the transmittal of this E-Mail.

Tippets, John

From: Joan Bunderson <flbund@gmail.com>
Sent: Sunday, August 03, 2014 7:57 AM
To: Tippets, John
Subject: Re: Water Right Transfer

Follow Up Flag: Follow up
Flag Status: Completed

John,

Bear Lake Grazing Co. has no objections to the transfer of water rights.

Joan Bunderson, Managing Partner, Bear Lake Grazing Co.

On Jul 28, 2014, at 4:41 PM, Tippets, John <John.Tippets@agrium.com> wrote:

Agency/Landowner representative:

Agrium Conda Phosphate Operations dba Agrium CPO (or Agrium) proposes to conduct open-pit phosphate mining and reclamation activities on the Rasmussen Valley Federal Phosphate Lease (and adjacent proposed lease modifications) and the Lanes Creek Private Phosphate Lease (and adjacent proposed lease modifications). Mining on the Lanes Creek Lease is anticipated to begin in 2015 and mining on the Rasmussen Valley Lease is anticipated to begin in 2016.

A water right transfer application has been submitted to the Idaho Department of Water Resources – Eastern Region for the purpose of transferring a consumptive water right in Agrium's possession (Water Right 27-7057) from the current point of diversion in Dry Valley, to a well located on Agrium's South Rasmussen Valley Property. This water right will be used for providing dust suppression water for mining and reclamation activities for both the Lanes Creek and Rasmussen Valley Mines. This water right application was posted for public review and received no dissenting comments.

Should all necessary permits and approvals to conduct mining and reclamation operations be obtained for the proposed Lanes Creek and Rasmussen Valley Mines, the Idaho Department of Water Resources requires landowner authorization prior to the use of the water right for dust suppression activities on their property. Agrium requests that you provide this authorization by way of a reply to this email, or other suitable documentation (i.e. letter). If you have any questions or need further information, please contact me.

Thank you.

<image001.jpg>

John H. Tippetts
Manager, Public Relations
(208) 547-1823

Agrium CPO
3010 Conda Road
Soda Springs, ID 83276

<image002.png>

<image003.png>

IMPORTANT NOTICE | This E-Mail transmission and any accompanying attachments may contain confidential information intended only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this E-Mail by anyone other than the intended recipient is strictly prohibited and is not intended to, in anyway, waive privilege or confidentiality. If you have received this E-Mail in error please immediately delete it and notify sender at the above E-Mail address. Agrium uses state of the art anti-virus technology on all incoming and outgoing E-Mail. We encourage and promote the use of safe E-Mail management practices and recommend you check this, and all other E-Mail and attachments you receive for the presence of viruses. The sender and Agrium accept no liability for any damage caused by a virus or otherwise by the transmittal of this E-Mail.

Tippets, John

From: Kim Spencer <kspencer@co.caribou.id.us>
Sent: Thursday, August 14, 2014 4:31 PM
To: Tippets, John
Subject: RE: Water Right Transfer
Attachments: image001.jpg; image002.png; image003.png

john as our talk the county donthave any issues with the transfer thanks kim spencer ccrb

From: Tippets, John [John.Tippets@agrium.com]
Sent: Monday, July 28, 2014 4:41 PM
To: Kim Spencer; jisaacs@fs.fed.us; Cundick, Jeffrey (jcundick@blm.gov); GBillman@idl.idaho.gov; jmende@idfg.idaho.gov; Joan Bunderson
Subject: Water Right Transfer

Agency/Landowner representative:

Agrium Conda Phosphate Operations dba Agrium CPO (or Agrium) proposes to conduct open-pit phosphate mining and reclamation activities on the Rasmussen Valley Federal Phosphate Lease (and adjacent proposed lease modifications) and the Lanes Creek Private Phosphate Lease (and adjacent proposed lease modifications). Mining on the Lanes Creek Lease is anticipated to begin in 2015 and mining on the Rasmussen Valley Lease is anticipated to begin in 2016.

A water right transfer application has been submitted to the Idaho Department of Water Resources – Eastern Region for the purpose of transferring a consumptive water right in Agrium's possession (Water Right 27-7057) from the current point of diversion in Dry Valley, to a well located on Agrium's South Rasmussen Valley Property. This water right will be used for providing dust suppression water for mining and reclamation activities for both the Lanes Creek and Rasmussen Valley Mines. This water right application was posted for public review and received no dissenting comments.

Should all necessary permits and approvals to conduct mining and reclamation operations be obtained for the proposed Lanes Creek and Rasmussen Valley Mines, the Idaho Department of Water Resources requires landowner authorization prior to the use of the water right for dust suppression activities on their property. Agrium requests that you provide this authorization by way of a reply to this email, or other suitable documentation (i.e. letter). If you have any questions or need further information, please contact me.

Thank you.

[Tippets sig - first]

John H. Tippets
Manager, Public Relations
(208) 547-1823

Agrium CPO
3010 Conda Road
Soda Springs, ID 83276

Tippets, John

From: Isaacs, Jack -FS <jisaacs@fs.fed.us>
Sent: Tuesday, August 26, 2014 3:53 PM
To: Tippets, John
Subject: RE: Water Right Transfer

I do not believe the Forest Service has any comments. Thanks Jack

Jack L. Isaacs
District Ranger
Soda Springs Ranger District
410 East Hooper Avenue
Soda Springs, ID 83276
208.547.4356, cell=605.490.1287

From: Tippets, John [mailto:John.Tippets@agrium.com]
Sent: Tuesday, August 26, 2014 3:50 PM
To: Isaacs, Jack -FS; Cundick, Jeffrey (jcundick@blm.gov); GBillman@idl.idaho.gov
Subject: RE: Water Right Transfer

Jack, Jeff, and Gary—

I would appreciate it very much if you could let me know if you have any concerns with the water right transfer discussed in the e-mails below.

I apologize for being a bit of a pest about this.

Regards,

John

From: Tippets, John
Sent: Monday, August 18, 2014 4:05 PM
To: 'jisaacs@fs.fed.us'; Cundick, Jeffrey (jcundick@blm.gov); 'GBillman@idl.idaho.gov'
Subject: RE: Water Right Transfer

All —

I'm just checking to see if you have any concerns with the water right transfer discussed below. I would certainly appreciate hearing from you in the near future, if possible.

Thank you very much for your consideration of this issue.

John

From: Tippets, John
Sent: Monday, July 28, 2014 4:41 PM

To: 'kspencer@co.caribou.id.us'; 'jisaacs@fs.fed.us'; Cundick, Jeffrey (jcundick@blm.gov);
'GBillman@idl.idaho.gov'; 'jmende@idfg.idaho.gov'; Joan Bunderson
Subject: Water Right Transfer

Agency/Landowner representative:

Agrium Conda Phosphate Operations dba Agrium CPO (or Agrium) proposes to conduct open-pit phosphate mining and reclamation activities on the Rasmussen Valley Federal Phosphate Lease (and adjacent proposed lease modifications) and the Lanes Creek Private Phosphate Lease (and adjacent proposed lease modifications). Mining on the Lanes Creek Lease is anticipated to begin in 2015 and mining on the Rasmussen Valley Lease is anticipated to begin in 2016.

A water right transfer application has been submitted to the Idaho Department of Water Resources – Eastern Region for the purpose of transferring a consumptive water right in Agrium's possession (Water Right 27-7057) from the current point of diversion in Dry Valley, to a well located on Agrium's South Rasmussen Valley Property. This water right will be used for providing dust suppression water for mining and reclamation activities for both the Lanes Creek and Rasmussen Valley Mines. This water right application was posted for public review and received no dissenting comments.

Should all necessary permits and approvals to conduct mining and reclamation operations be obtained for the proposed Lanes Creek and Rasmussen Valley Mines, the Idaho Department of Water Resources requires landowner authorization prior to the use of the water right for dust suppression activities on their property. Agrium requests that you provide this authorization by way of a reply to this email, or other suitable documentation (i.e. letter). If you have any questions or need further information, please contact me.

Thank you.



John H. Tippetts
Manager, Public Relations
(208) 547-1823

Agrium CPO
3010 Conda Road
Soda Springs, ID 83276

Agrium
Wholesale

GROWING
together

IMPORTANT NOTICE ! This E-Mail transmission and any accompanying attachments may contain confidential information intended only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this E-Mail by anyone other than the intended recipient is strictly prohibited and is not intended to, in anyway, waive privilege or confidentiality. If you have received this E-Mail in error please immediately delete it and notify sender at the above E-Mail address. Agrium uses state of the art

Tippets, John

From: Cundick, Jeffrey <jcundick@blm.gov>
Sent: Friday, September 26, 2014 8:15 AM
To: Tippets, John
Cc: jisaacs@fs.fed.us; GBillman@idl.idaho.gov; Danny Miller
Subject: Re: Water Right Transfer
Attachments: 77-14331-Permit_mining-conditions.pdf; 27-07121_SF-5.pdf; 01-00028F_SF-5.pdf; Trans-79124_Presentation.pdf

John,

Sorry about the delay getting back with you. I have received direction from our water rights branch in BLM's Idaho State Office. They have responded with the following direction. We are asking that NuWest incorporate the four conditions listed below into the water right transfer. Give me a call after you've had a chance to review. -J

- 1) This right does not grant any right-of-way or easement across the land of another.
- 2) This right does not constitute State of Idaho and United States approvals that may be required for water using activities associated with mining of state and federal public lands.
- 3) Use of the water and access to the place of use are subject to separate lease and/or easement agreements with the State of Idaho and United States of America.
- 4) The use of water for mining purposes is for dust abatement within the place of use described above, and for general mining purposes within lease boundaries issued by the United States.

----- Forwarded message -----

From: Price, Fredric <fwprice@blm.gov>
Date: Thu, Aug 28, 2014 at 4:51 PM
Subject: Transfer #79124, 27-07057, Nu-West Industries, Inc.
To: Danny Miller <dkmiller@blm.gov>, Jeffrey Cundick <jcundick@blm.gov>
Cc: Gary Madenford <gmadenford@blm.gov>

Danny, Jeff

RE: Transfer #79124, 27-07057, Nu-West Industries, Inc.
Phosphate Lease IDI-0-005975

We reviewed the transfer back in March. We detected the Place of Use (POU) for general mining purpose on BLM land (T07S, R44E, S09, NWNW) within the authorized phosphate lease area (IDI-0-005975).

We did not detect the POUs on federal subsurface on private and state land during our review. Most of these places of use are within the lease, however there are a few POUs outside the lease area that are marked "lease modifications" on the transfer map. These areas aren't authorized until a lease modification is applied for and approved.

Anyway, I've been involved with several of these mining/dust abatement situations in the past, and several involved State of Idaho lands. I would recommend the following remarks (aka conditions) to be incorporated into the transfer application such that they would be included in any approved transfer:

- 1) This right does not grant any right-of-way or easement across the land of another.

- 2) This right does not constitute State of Idaho and United States approvals that may be required for water using activities associated with mining of state and federal public lands.
- 3) Use of the water and access to the place of use are subject to separate lease and/or easement agreements with the State of Idaho and United States of America.
- 4) The use of water for mining purposes is for dust abatement within the place of use described above, and for general mining purposes within lease boundaries issued by the United States.

If Nu-West will accept these remarks, then I won't have to file anything with IDWR. If attached several examples of where these remarks have been used to resolve protests/objections.

Fred

PLACES OF USE: mining

BLM: within lease area

T07S, R44E, S09, NWNW

FS: within lease area

T07S, R44E, S05, Lot 3 (SENW)

T07S, R44E, S05, Lot 4 (SWNW)

T07S, R44E, S05, NESW

T07S, R44E, S05, NWSW

T07S, R44E, S05, NWSE

T07S, R44E, S05, SWSE

T07S, R44E, S05, SESE

State of Idaho surface, federal subsurface: within lease area

T07S, R44E, S08, NENE

T07S, R44E, S08, SENE

T07S, R44E, S09, SWNW

T07S, R44E, S09, SENW

Lease modification areas: outside lease area (trespass)

Private surface, federal subsurface:

T07S, R44E, S09, SWNE

T07S, R44E, S09, NESW

T07S, R44E, S09, NWSE

FS:

T07S, R44E, S05, SENE -on map but not in transfer

T07S, R44E, S05, SWSW

T07S, R44E, S05, SESW

T07S, R44E, S06, NESE

State of Idaho surface, federal subsurface:

T07S, R44E, S04, SWSW

T07S, R44E, S08, NWNE

T07S, R44E, S08, SWNE

T07S, R44E, S08, NENW -on map but not in transfer

T07S, R44E, S08, NESE

T07S, R44E, S08, NWSE

PLACES OF USE: dust abatement on haul roads

All POUs in the transfer are listed under a "Mining" purpose of use and do not distinguish between general mining purpose verses dust abatement, other than by the map. The map describes dust

abatement on certain road segments that reside on a mixture of surface ownerships outside the lease area: FS, State of Idaho and private lands. None of the roads cross BLM surface therefore we did not react to these POUs. Does the phosphate lease talk about dust abatement needs outside of the actual lease area, or is surface use something that the FS and State of Idaho would authorize separately?

JEFF CUNDICK
Minerals Branch Chief
U.S. Department of the Interior
BLM, Pocatello Field Office (LLID102000)
4350 South Cliffs Drive
Pocatello, Idaho 83204

Caribou-Targhee National Forest
"Service First" BLM/USFS

Federal Mine Regulatory Program
Phosphate Operations

Direct: (208) 478-6354
Cell: (208) 709-2027
Fax: (208) 478-6376
Email: jcundick@BLM.gov

On Tue, Aug 26, 2014 at 3:49 PM, Tippetts, John <John.Tippetts@agrium.com> wrote:

Jack, Jeff, and Gary—

I would appreciate it very much if you could let me know if you have any concerns with the water right transfer discussed in the e-mails below.

I apologize for being a bit of a pest about this.

Regards,

John

From: Tippetts, John
Sent: Monday, August 18, 2014 4:05 PM
To: 'jisaacs@fs.fed.us'; Cundick, Jeffrey (jcundick@blm.gov); 'GBillman@idl.idaho.gov'
Subject: RE: Water Right Transfer

All –

I'm just checking to see if you have any concerns with the water right transfer discussed below. I would certainly appreciate hearing from you in the near future, if possible.

Thank you very much for your consideration of this issue.

John

From: Tippetts, John
Sent: Monday, July 28, 2014 4:41 PM
To: 'kspencer@co.caribou.id.us'; 'jisaacs@fs.fed.us'; Cundick, Jeffrey (jcundick@blm.gov); 'GBillman@idl.idaho.gov'; 'jmende@idfg.idaho.gov'; Joan Bunderson
Subject: Water Right Transfer

Agency/Landowner representative:

Agrium Conda Phosphate Operations dba Agrium CPO (or Agrium) proposes to conduct open-pit phosphate mining and reclamation activities on the Rasmussen Valley Federal Phosphate Lease (and adjacent proposed lease modifications) and the Lanes Creek Private Phosphate Lease (and adjacent proposed lease modifications). Mining on the Lanes Creek Lease is anticipated to begin in 2015 and mining on the Rasmussen Valley Lease is anticipated to begin in 2016.

A water right transfer application has been submitted to the Idaho Department of Water Resources – Eastern Region for the purpose of transferring a consumptive water right in Agrium's possession (Water Right 27-7057) from the current point

of diversion in Dry Valley, to a well located on Agrium's South Rasmussen Valley Property. This water right will be used for providing dust suppression water for mining and reclamation activities for both the Lanes Creek and Rasmussen Valley Mines. This water right application was posted for public review and received no dissenting comments.

Should all necessary permits and approvals to conduct mining and reclamation operations be obtained for the proposed Lanes Creek and Rasmussen Valley Mines, the Idaho Department of Water Resources requires landowner authorization prior to the use of the water right for dust suppression activities on their property. Agrium requests that you provide this authorization by way of a reply to this email, or other suitable documentation (i.e. letter). If you have any questions or need further information, please contact me.

Thank you.



John H. Tippetts

Agrium CPO

Manager, Public Relations

3010 Conda Road

(208) 547-1823

Soda Springs, ID 83276



IMPORTANT NOTICE ! This E-Mail transmission and any accompanying attachments may contain confidential information intended only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this E-Mail by anyone other than the intended recipient is strictly prohibited and is not intended to, in anyway, waive privilege or confidentiality. If you have received this E-Mail in error please immediately delete it and notify sender at the above E-Mail address. Agrium uses state of the art anti-virus technology on all incoming and outgoing E-Mail. We encourage and promote the use of safe E-Mail management practices and recommend you check this, and all other E-Mail and attachments you receive for the presence of viruses. The sender and Agrium accept no liability for any damage caused by a virus or otherwise by the transmittal of this E-Mail.

Tippets, John

From: Gary Billman <GBillman@idl.idaho.gov>
Sent: Wednesday, August 27, 2014 9:48 AM
To: Tippets, John; jisaacs@fs.fed.us; jcundick@blm.gov
Subject: RE: Water Right Transfer

I did not have any comments

From: Tippets, John [<mailto:John.Tippets@agrium.com>]
Sent: Tuesday, August 26, 2014 3:50 PM
To: jisaacs@fs.fed.us; Cundick, Jeffrey (jcundick@blm.gov); Gary Billman
Subject: RE: Water Right Transfer

Jack, Jeff, and Gary—

I would appreciate it very much if you could let me know if you have any concerns with the water right transfer discussed in the e-mails below.

I apologize for being a bit of a pest about this.

Regards,

John

From: Tippets, John
Sent: Monday, August 18, 2014 4:05 PM
To: 'jisaacs@fs.fed.us'; Cundick, Jeffrey (jcundick@blm.gov); 'GBillman@idl.idaho.gov'
Subject: RE: Water Right Transfer

All –

I'm just checking to see if you have any concerns with the water right transfer discussed below. I would certainly appreciate hearing from you in the near future, if possible.

Thank you very much for your consideration of this issue.

John

From: Tippets, John
Sent: Monday, July 28, 2014 4:41 PM
To: 'kspencer@co.caribou.id.us'; 'jisaacs@fs.fed.us'; Cundick, Jeffrey (jcundick@blm.gov); 'GBillman@idl.idaho.gov'; 'jmende@idfg.idaho.gov'; Joan Bunderson
Subject: Water Right Transfer

Agency/Landowner representative:

Agrium Conda Phosphate Operations dba Agrium CPO (or Agrium) proposes to conduct open-pit phosphate mining and reclamation activities on the Rasmussen Valley Federal Phosphate Lease (and adjacent proposed lease modifications) and the Lanes Creek Private Phosphate Lease (and adjacent proposed lease modifications). Mining on the Lanes Creek Lease is anticipated to begin in 2015 and mining on the Rasmussen Valley Lease is anticipated to begin in 2016.

A water right transfer application has been submitted to the Idaho Department of Water Resources – Eastern Region for the purpose of transferring a consumptive water right in Agrium's possession (Water Right 27-7057) from the current point of diversion in Dry Valley, to a well located on Agrium's South Rasmussen Valley Property. This water right will be used for providing dust suppression water for mining and reclamation activities for both the Lanes Creek and Rasmussen Valley Mines. This water right application was posted for public review and received no dissenting comments.

Should all necessary permits and approvals to conduct mining and reclamation operations be obtained for the proposed Lanes Creek and Rasmussen Valley Mines, the Idaho Department of Water Resources requires landowner authorization prior to the use of the water right for dust suppression activities on their property. Agrium requests that you provide this authorization by way of a reply to this email, or other suitable documentation (i.e. letter). If you have any questions or need further information, please contact me.

Thank you.



John H. Tippetts
Manager, Public Relations
(208) 547-1823

Agrium CPO
3010 Conda Road
Soda Springs, ID 83276



IMPORTANT NOTICE | This E-Mail transmission and any accompanying attachments may contain confidential information intended only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this E-Mail by anyone other than the intended recipient is strictly prohibited and is not intended to, in anyway, waive privilege or confidentiality. If you have received this E-Mail in error please immediately delete it and notify sender at the above E-Mail address. Agrium uses state of the art anti-virus technology on all incoming and outgoing E-Mail. We encourage and promote the use of safe E-Mail management practices and recommend you check this, and all other E-Mail and attachments you receive for the presence of viruses. The sender and Agrium accept no liability for any damage caused by a virus or otherwise by the transmittal of this E-Mail.

Tippets, John

From: Mende, Jim <jim.mende@idfg.idaho.gov>
Sent: Friday, August 01, 2014 5:40 PM
To: Tippets, John; kspencer@co.caribou.id.us; jisaacs@fs.fed.us; Cundick, Jeffrey (jcundick@blm.gov); GBillman@idl.idaho.gov; Joan Bunderson
Subject: RE: Water Right Transfer 27-7057

Follow Up Flag: Follow up
Flag Status: Completed

John:

We have no objections to either the transfer or the establishment of a new POD.

jim

From: Tippets, John [mailto:John.Tippets@agrium.com]
Sent: Monday, July 28, 2014 4:41 PM
To: kspencer@co.caribou.id.us; jisaacs@fs.fed.us; Cundick, Jeffrey (jcundick@blm.gov); GBillman@idl.idaho.gov; Mende, Jim; Joan Bunderson
Subject: Water Right Transfer

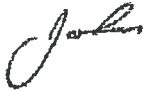
Agency/Landowner representative:

Agrium Conda Phosphate Operations dba Agrium CPO (or Agrium) proposes to conduct open-pit phosphate mining and reclamation activities on the Rasmussen Valley Federal Phosphate Lease (and adjacent proposed lease modifications) and the Lanes Creek Private Phosphate Lease (and adjacent proposed lease modifications). Mining on the Lanes Creek Lease is anticipated to begin in 2015 and mining on the Rasmussen Valley Lease is anticipated to begin in 2016.

A water right transfer application has been submitted to the Idaho Department of Water Resources – Eastern Region for the purpose of transferring a consumptive water right in Agrium's possession (Water Right 27-7057) from the current point of diversion in Dry Valley, to a well located on Agrium's South Rasmussen Valley Property. This water right will be used for providing dust suppression water for mining and reclamation activities for both the Lanes Creek and Rasmussen Valley Mines. This water right application was posted for public review and received no dissenting comments.

Should all necessary permits and approvals to conduct mining and reclamation operations be obtained for the proposed Lanes Creek and Rasmussen Valley Mines, the Idaho Department of Water Resources requires landowner authorization prior to the use of the water right for dust suppression activities on their property. Agrium requests that you provide this authorization by way of a reply to this email, or other suitable documentation (i.e. letter). If you have any questions or need further information, please contact me.

Thank you.



John H. Tippetts
Manager, Public Relations
(208) 547-1823

Agrium CPO
3010 Conda Road
Soda Springs, ID 83276

Agrium
Wholesale

GROWING
together

IMPORTANT NOTICE ! This E-Mail transmission and any accompanying attachments may contain confidential information Intended only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this E-Mail by anyone other than the intended recipient is strictly prohibited and is not intended to, in anyway, waive privilege or confidentiality. If you have received this E-Mail in error please immediately delete it and notify sender at the above E-Mail address. Agrium uses state of the art anti-virus technology on all incoming and outgoing E-Mail. We encourage and promote the use of safe E-Mail management practices and recommend you check this, and all other E-Mail and attachments you receive for the presence of viruses. The sender and Agrium accept no liability for any damage caused by a virus or otherwise by the transmittal of this E-Mail.