

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73993

This is to certify that: FMC IDAHO LLC
 PO BOX 4111
 POCATELLO ID 83205
 (208)236-8236

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
29-2255C	WR/Decreed	05/22/1939	0.64 cfs	63 af	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
29-2255C	NO	YES	YES	NO	YES	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
29-2255C	29-2255C	0.64 cfs	63 af	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.64 cfs	63 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 18 day of December, 2008


 for Emmit Carlson
 Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 29-2255C

WATER RIGHT NO. 29-2255C
As Modified by Transfer No. 73993

In accordance with the approval of Transfer No. 73993, Water Right No. 29-2255C is now described as follows.

Right Holder: FMC IDAHO LLC
 PO BOX 4111
 POCA TELLO ID 83205

Priority Date: May 22, 1939

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
INDUSTRIAL	01/01	to 12/31	0.64 CFS	63.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNW Sec. 13 Twp 06S Rge 33E POWER County

PLACE OF USE: INDUSTRIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S 33E 12									X		X	X	X	X	X	X	
06S 33E 13	X	X	X	X	X	X	X	X					X	X	X	X	
06S 33E 14	X	X	X	X			X	X	X	X	X	X	X	X	X		
06S 33E 24	X	X	X	X													
06S 34E 7			X				X	X	X	X	X						
06S 34E 18						X	X			L 8	L 9						
					L 1	L 2				L 3	L 4						

WATER RIGHT NO. 29-2255C
As Modified by Transfer No. 73993

CONDITIONS OF APPROVAL

1. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
3. Prior to the diversion and use of water under Transfer approval 73993, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
4. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
5. Industrial use is for dust suppression and environmental remedial analysis.
6. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 18 day of December, 20 08


for Chief, Water Allocation Bureau