



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

December 18, 2007

C. L. "BUICH" OTTIER
Governor

DAVID R. TUTHILL, JR.
Director

FMC CORP LLC
PO BOX 4111
POCATELLO ID 83205

RE: APPLICATION TO LEASE ALL OR PART OF WATER RIGHT NO(S) 29-2255C
TO THE WATER SUPPLY BANK

Dear Lessor:

The Department of Water Resources ("Department") has completed its review of the Application to Sell or Lease Water Right(s) to the Water Supply Bank ("Bank"). The offered water right(s) is accepted into the bank in accordance with the attached Water Supply Bank Lease Acceptance. If you do not agree with the conditions of the Lease Acceptance and would like to withdraw your water right from the Bank, you must contact the department within thirty (30) days of receipt of this notification.

The right(s) will remain in the Bank for an "indefinite" lease term unless the right(s) are released earlier by the Board, or upon request by the lessor. To change the term of the lease or to release the right(s) from the Bank, the lessor must submit a request in writing to the Department prior to the release date.

Enclosed is a copy of the Internal Revenue Service Request for Taxpayer Identification and Certification, Form W-9. The Department is required to file an information return with the Internal Revenue Service ("IRS") for all payments issued for water rented from the Bank. Payments for the rental of a water right or a part thereof cannot be issued to the lessor unless the Department has received a completed IRS W-9 form.

Additionally, documentation of authority to receive payment must be submitted if the name provided on the W-9 form does not match the name of the lessor. The address associated with the water right leased to the bank will be updated in the Department database to the address provided on the W-9 form unless otherwise requested by the lessor. If you no longer have an interest in the water right, please contact the Department. Return this form and any additional documentation to my attention.

Please review the conditions of acceptance listed on the Lease Acceptance and contact me if you have any questions at (208) 287-4943.

Sincerely,

Aaron Marshall
Water Allocation Bureau

Enc: 2

c: Lyle Swank – IDWR Eastern Regional Office
Paul Arrington – Barker Rosholt & Simpson LLC