

(Internet)

RECEIVED

MAR 13 2006

Department of Water Resources  
Eastern Region

Transfer No. 72676

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1

Name of applicant - Nu- West Industries, Inc Phone 208-547-4381

Post Office address - 3010 Conda Road Soda Springs, Idaho 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 Nu-West would like to add an additional point of diversion to the existing water right listed below. The additional point of diversion would provide backup for the existing well #10. This is not a request to increase the water usage at Nu-West.

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

| 1. Right Number | Priority  | Amount<br>(cfs/ac-ft) | Nature<br>of Use | Period of Use |
|-----------------|-----------|-----------------------|------------------|---------------|
| 11-7546         | 4/25/1967 | 6.68 /3380            | Industrial       | 1/1 to 12/31  |
|                 |           |                       |                  | to            |
|                 |           |                       |                  | to            |
|                 |           |                       |                  | to            |
|                 |           |                       |                  | to            |

2. Total amount of water being transferred 6.68 cubic feet per second and/or 3380 acre-feet per annum.

3. Source of water Groundwater tributary to \_\_\_\_\_

4. Point(s) of Diversion:

| Lot | 1/4 | 1/2 | 1/4 | Sec. | Twp. | Rge. | County  | Local name for diversion |
|-----|-----|-----|-----|------|------|------|---------|--------------------------|
|     | NW  | NE  |     | 4    | 42E  | 08S  | CARIBOU | WELL #10                 |
|     | SE  | SW  |     | 33   | 42E  | 07S  | CARIBOU | WELL #11 (proposed)      |
|     |     |     |     |      |      |      |         |                          |
|     |     |     |     |      |      |      |         |                          |
|     |     |     |     |      |      |      |         |                          |
|     |     |     |     |      |      |      |         |                          |
|     |     |     |     |      |      |      |         |                          |
|     |     |     |     |      |      |      |         |                          |

5. 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 |        |
| 08S  | 42E  | 10   |      |      |      |      |      | X    | X    |      |      | X    | X    |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

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Department of Water Resources  
Eastern Region

**PART 1**

Total Acres 72676

Transfer No. \_\_\_\_\_

**6. General Information:**

- a. Description of diversion system Both points of diversion will supply water to a common water distribution system.
- 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:
- NOT APPLICABLE
- d. Remarks:
- It is anticipated that the additional point of diversion will be capable of 2100 gpm or 4.67 cfs. The application fee of \$410 is based on this diversion rate.

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. \_\_\_\_\_

And the said application is hereby, \_\_\_\_\_, subject to the following conditions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_

\_\_\_\_\_

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MAR 13 2006

Page 1

Department of Water Resources  
Eastern Region

Transfer No. 72676  
Receipt No. \_\_\_\_\_

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2**

**Current Water Right No.** 11-7546

**Priority Date:** 04/25/1967

**Origin:** Water Right

**Basis:** License

**Status:** Active

**Source:** GROUND WATER

**Tributary to:**

| <u>Beneficial Use</u> | <u>From To</u>  | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-----------------|-----------------------|---------------|--------------------|
| INDUSTRIAL            | 1/01 12/31      | 6.68 CFS              | 3,380.0 AFA   |                    |
|                       | Total Diversion | 6.68 CFS              | 3,380.0 AFA   |                    |

Source and Point(s) of Diversion:

GROUND WATER NWNE 08S 42E 4 CARIBOU

PLACE OF USE: INDUSTRIAL

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |        |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 08S 42E 10  |    |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |        |

Conditions/Remarks:

1. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
7. Use of water under this right may be affected by an agreement between the protestant and the right holder.

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Page 2

IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2

Transfer No. 72676  
Receipt No. \_\_\_\_\_

Current Water Right No. 11-7546

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

NO CHANGE IN PLACE OF USE

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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Transfer No. 72676

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 the rights described in part 1. Clearly depict the land by section, township and range number.

|     |      |                |         |              |      |         |          |
|-----|------|----------------|---------|--------------|------|---------|----------|
|     |      | SECT 33        |         | SECT 34      |      | SECT 35 |          |
| T7S | R42E | 11 Well (prop) |         | T7S          | R42E |         | T7S R42E |
| T8S | R42E |                | 10 well | T8S          | R42E |         | T8S R42E |
|     |      | SECT 4         |         | SECT 3       |      | SECT 2  |          |
|     |      |                |         | Common       |      |         |          |
|     |      | SECT 9         |         | SECT 10      |      | SECT 11 |          |
|     |      |                |         | Place of Use |      |         |          |
|     |      | SECT 16        |         | SECT 15      |      | SECT 14 |          |
| T8S | R42E |                |         | T8S          | R42E |         | T8S R42E |

Scale: 2 inches equal 1 mile. Draw in ink.

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MAR 13 2006

Transfer No. 72676

PART 3

Department of Water Resources  
Eastern Region

B. CHANGES IN NATURE OF USE

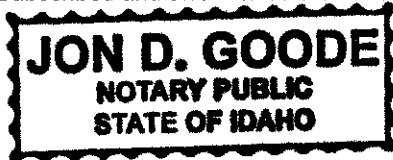
| 1. | <u>New Nature of Use</u>                                                 | <u>Amount<br/>(cfs/ac- ft)</u> | <u>Hours/days/year</u> | <u>Period of Use</u> |
|----|--------------------------------------------------------------------------|--------------------------------|------------------------|----------------------|
|    |                                                                          |                                |                        | to                   |
|    |                                                                          |                                |                        | to                   |
| 2. | Quantity and quality of return flows and location of discharge:          |                                |                        |                      |
|    | NOT APPLICABLE                                                           |                                |                        |                      |
| 3. | Describe effects on other water uses resulting from the proposed change: |                                |                        |                      |
|    | NOT APPLICABLE                                                           |                                |                        |                      |

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.

Charles H. Ross  
(Signature of Applicant)

Subscribed and sworn to before me this 9<sup>th</sup> day of March, 2006



Jon D. Goode  
(Notary Public)

My commission expires April 30, 2010

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 4 attachments

Received by \_\_\_\_\_ Date \_\_\_\_\_ Protest filed by \_\_\_\_\_

Prelim. check by \_\_\_\_\_ Fee 410.00

Receipted by SC Date 3/15/06 EO 31699

Published in Caribou Co. Sun Copies of protest forwarded by \_\_\_\_\_

Pub. dates \_\_\_\_\_ Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Water master recommendation requested on \_\_\_\_\_ Recommended for ☐ approval ☐ denial

\_\_\_\_\_ rec'd. \_\_\_\_\_ by \_\_\_\_\_

Copy of transfer sent to lien holder \_\_\_\_\_



Preston Phelps  
Caribou County, ID  
159 S MAIN STREET  
Soda Springs, ID 83276

ssor

2005  
**ASSESSMENT**  
& ESTIMATE OF TAX

THIS IS NOT A BILL.  
DO NOT PAY.

## CORRECTED NOTICE

### PARCEL DESCRIPTION

TRACTS IN SECS 3-4-9-10  
783.41 ACRES T8S R42E

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number: (208) 547-4749

PARCEL ADDRESS: SODA SPRINGS ID 83276-0000

Appeals of your property value must be filed in  
writing, on a form provided by the County, by:

JUNE 27, 2005

NU-WEST INDUSTRIES  
3010 CONDA RD  
SODA SPRINGS ID 83276-0000

RECEIVED

MAR 13 2006

Department of Water Resources  
Eastern Region

Tax Code Area: 04

Parcel Number: RL16330

| ASSESSED VALUE OF YOUR PROPERTY    |               |                     |                      |
|------------------------------------|---------------|---------------------|----------------------|
| CURRENT CATEGORY AND DESCRIPTION   | LOTS / ACRES  | LAST YEAR'S VALUE   | CURRENT YEAR'S VALUE |
| 03 Non-irrigated Agricultural land | 80.00         | 17,000.00           | 17,000.00            |
| 04 Meadow land                     | 128.00        | 25,293.00           | 25,293.00            |
| 05 Dry Grazing land                | 95.00         | 6,197.00            | 6,197.00             |
| 14 Rural Industrial Tracts         | 0.00          | 560,000.00          | 560,000.00           |
| 36 Improvements on Category 14     | 0.00          | 727,260.00          | 4,383,043.00         |
| <b>SUBTOTAL:</b>                   | <b>303.00</b> | <b>1,335,750.00</b> | <b>4,991,533.00</b>  |
| <b>LESS HOMEOWNERS EXEMPTION:</b>  |               | 0.00                | 0.00                 |
| <b>NET TAXABLE PROPERTY VALUE:</b> |               | 1,335,750.00        | 4,991,533.00         |

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

| ESTIMATED PROPERTY TAXES                |                   |                                   |                |                                  |
|-----------------------------------------|-------------------|-----------------------------------|----------------|----------------------------------|
| TAXING DISTRICTS                        | LAST YEAR'S TAXES | CURRENT YEAR'S TAXES<br>ESTIMATED | PHONE NUMBER   | DATE OF PUBLIC<br>BUDGET HEARING |
| COUNTY                                  | 0.00              | 32,859.31                         | (208) 547-4324 | 9-6-2005                         |
| SCHOOL DIST #150                        | 0.00              | 38,180.97                         | (208) 547-3371 | 6-8-2005                         |
| FAIRVIEW CEMETERY                       | 0.00              | 679.48                            | (208) 547-2111 | 8-4-2005                         |
| <b>SUBTOTAL:</b>                        | <b>0.00</b>       | <b>71,719.76</b>                  |                |                                  |
| <b>FEES:</b>                            |                   |                                   |                |                                  |
| <b>TOTAL PROPERTY TAXES &amp; FEES:</b> | <b>0.00</b>       | <b>71,719.76</b>                  |                |                                  |

THIS IS NOT A BILL. DO NOT PAY.

ATTACHMENT

T 72676  
1 OF 4





Preston Phelps  
Caribou County Assessor  
159 S MAIN STREET  
Soda Springs, ID 83276

2005  
**ASSESSMENT**  
& ESTIMATE OF TAX

THIS IS NOT A BILL.  
DO NOT PAY.

## CORRECTED NOTICE

### PARCEL DESCRIPTION

TRS SECS 4-9-10-15-16  
377.1 AC., T8S R42E

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number: (208) 547-4749

PARCEL ADDRESS: SODA SPRINGS ID 83276-0000

NU-WEST INDUSTRIES  
3010 CONDA RD  
SODA SPRINGS ID 83276-0000

Appeals of your property value must be filed in  
writing, on a form provided by the County, by:

JUNE 27, 2005

Tax Code Area: 04

RL16490

| ASSESSED VALUE OF YOUR PROPERTY                                                                                                                      |               |                     |                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------------|----------------------|
| CURRENT CATEGORY AND DESCRIPTION                                                                                                                     | LOTS / ACRES  | LAST YEAR'S VALUE   | CURRENT YEAR'S VALUE |
| 03 Non-irrigated Agricultural land                                                                                                                   | 75.00         | 15,937.00           | 15,937.00            |
| 14 Rural Industrial Tracts                                                                                                                           | 302.00        | 460,773.00          | 460,773.00           |
| 36 Improvements on Category 14                                                                                                                       | 0.00          | 3,529,494.00        | 3,590,953.00         |
| <b>SUBTOTAL:</b>                                                                                                                                     | <b>377.00</b> | <b>4,006,204.00</b> | <b>4,067,663.00</b>  |
| LESS HOMEOWNERS EXEMPTION:                                                                                                                           |               | 0.00                | 0.00                 |
| NET TAXABLE PROPERTY VALUE:                                                                                                                          |               | 4,006,204.00        | 4,067,663.00         |
| These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts |               |                     |                      |

| ESTIMATED PROPERTY TAXES                |                   |                                   |                |                                  |
|-----------------------------------------|-------------------|-----------------------------------|----------------|----------------------------------|
| TAXING DISTRICTS                        | LAST YEAR'S TAXES | CURRENT YEAR'S TAXES<br>ESTIMATED | PHONE NUMBER   | DATE OF PUBLIC<br>BUDGET HEARING |
| COUNTY                                  | 0.00              | 26,777.47                         | (208) 547-4324 | 9-6-2005                         |
| SCHOOL DIST #150                        | 0.00              | 31,114.16                         | (208) 547-3371 | 6-8-2005                         |
| FAIRVIEW CEMETERY                       | 0.00              | 553.71                            | (208) 547-2111 | 8-4-2005                         |
| <b>SUBTOTAL:</b>                        | <b>0.00</b>       | <b>58,445.34</b>                  |                |                                  |
| <b>FEES:</b>                            |                   |                                   |                |                                  |
| <b>TOTAL PROPERTY TAXES &amp; FEES:</b> | <b>0.00</b>       | <b>58,445.34</b>                  |                |                                  |

THIS IS NOT A BILL. DO NOT PAY.

T 72676  
ATTACHMENT 2 OF 4





Preston Phelps  
Caribou County Assessor  
159 S MAIN STREET  
Soda Springs, ID 83276

Assessor

2005  
**ASSESSMENT NOTICE**  
& ESTIMATE OF TAX

THIS IS NOT A BILL.  
DO NOT PAY.

**PARCEL DESCRIPTION**  
SE1/4, LESS 4 AC=160 AC  
SEC 10 T8S R42E

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number: (208) 547-4749

PARCEL ADDRESS: SODA SPRINGS ID 83276-0000

NU-WEST INDUSTRIES  
3010 CONDA RD  
SODA SPRINGS ID 83276-0000

Appeals of your property value must be filed in  
writing, on a form provided by the County, by:

JUNE 27, 2005

Tax Code Area: 04

Parcel Number:  
RL16500

| ASSESSED VALUE OF YOUR PROPERTY    |               |                   |                      |
|------------------------------------|---------------|-------------------|----------------------|
| CURRENT CATEGORY AND DESCRIPTION   | LOTS / ACRES  | LAST YEAR'S VALUE | CURRENT YEAR'S VALUE |
| 03 Non-irrigated Agricultural land | 115.00        | 21,290.00         | 21,290.00            |
| 05 Dry Grazing land                | 37.00         | 1,434.00          | 1,434.00             |
| 10 Home Site land                  | 0.00          | 4,050.00          | 4,050.00             |
| 19 Waste                           | 8.00          | 0.00              | 0.00                 |
| 31 Improvements on Category 10     | 0.00          | 12,600.00         | 12,600.00            |
| 32 Improvements on Category 1      | 0.00          | 2,380.00          | 2,380.00             |
| <b>SUBTOTAL:</b>                   | <b>160.00</b> | <b>41,754.00</b>  | <b>41,754.00</b>     |
| <b>LESS HOMEOWNERS EXEMPTION:</b>  |               | 0.00              | 0.00                 |
| <b>NET TAXABLE PROPERTY VALUE:</b> |               | <b>41,754.00</b>  | <b>41,754.00</b>     |

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

| ESTIMATED PROPERTY TAXES                |                   |                                   |                |                                  |
|-----------------------------------------|-------------------|-----------------------------------|----------------|----------------------------------|
| TAXING DISTRICTS                        | LAST YEAR'S TAXES | CURRENT YEAR'S TAXES<br>ESTIMATED | PHONE NUMBER   | DATE OF PUBLIC<br>BUDGET HEARING |
| COUNTY                                  | 0.00              | 274.87                            | (208) 547-4324 | 9-6-2005                         |
| SCHOOL DIST #150                        | 0.00              | 319.38                            | (208) 547-3371 | 6-8-2005                         |
| FAIRVIEW CEMETERY                       | 0.00              | 5.68                              | (208) 547-2111 | 8-4-2005                         |
| <b>SUBTOTAL:</b>                        | <b>0.00</b>       | <b>599.93</b>                     |                |                                  |
| <b>FEES:</b>                            |                   |                                   |                |                                  |
| <b>TOTAL PROPERTY TAXES &amp; FEES:</b> | <b>0.00</b>       | <b>599.93</b>                     |                |                                  |

THIS IS NOT A BILL. DO NOT PAY.

ATTACHMENT T 72676  
3 OF 4



Preston Phelps  
Caribou County Assessor  
159 S MAIN STREET  
Soda Springs, ID 83276

2005  
ASSESSMENT NOTICE  
& ESTIMATE OF TAX

THIS IS NOT A BILL.  
DO NOT PAY.

PARCEL DESCRIPTION  
TR LOTS 8,9, 74.11 AC, SEC 33,  
T7S-R42E

For any questions, please notify the Assessor's Office immediately.  
Assessor's Telephone Number: (208) 547-4749

PARCEL ADDRESS: SODA SPRINGS ID 83276-0000

NU-WEST INDUSTRIES  
3010 CONDA RD  
SODA SPRINGS ID 83276-0000

Appeals of your property value must be filed in  
writing, on a form provided by the County, by:

JUNE 27, 2005

Tax Code Area: 04

Parcel Number:  
RL14830

| ASSESSED VALUE OF YOUR PROPERTY    |              |                   |                      |
|------------------------------------|--------------|-------------------|----------------------|
| CURRENT CATEGORY AND DESCRIPTION   | LOTS / ACRES | LAST YEAR'S VALUE | CURRENT YEAR'S VALUE |
| 03 Non-irrigated Agricultural land | 69.00        | 15,894.00         | 15,894.00            |
| 05 Dry Grazing land                | 5.11         | 204.00            | 204.00               |
|                                    |              |                   |                      |
|                                    |              |                   |                      |
|                                    |              |                   |                      |
|                                    |              |                   |                      |
|                                    |              |                   |                      |
|                                    |              |                   |                      |
| SUBTOTAL:                          | 74.11        | 16,098.00         | 16,098.00            |
| LESS HOMEOWNERS EXEMPTION:         |              | 0.00              | 0.00                 |
| NET TAXABLE PROPERTY VALUE:        |              | 16,098.00         | 16,098.00            |

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

| ESTIMATED PROPERTY TAXES     |                   |                      |                |                               |
|------------------------------|-------------------|----------------------|----------------|-------------------------------|
| TAXING DISTRICTS             | LAST YEAR'S TAXES | CURRENT YEAR'S TAXES | PHONE NUMBER   | DATE OF PUBLIC BUDGET HEARING |
| COUNTY                       | 0.00              | 105.97               | (208) 547-4324 | 9-6-2005                      |
| SCHOOL DIST #150             | 0.00              | 123.14               | (208) 547-3371 | 6-8-2005                      |
| FAIRVIEW CEMETERY            | 0.00              | 2.19                 | (208) 547-2111 | 8-4-2005                      |
|                              |                   |                      |                |                               |
|                              |                   |                      |                |                               |
|                              |                   |                      |                |                               |
|                              |                   |                      |                |                               |
| SUBTOTAL:                    | 0.00              | 231.30               |                |                               |
| FEES:                        |                   |                      |                |                               |
| TOTAL PROPERTY TAXES & FEES: | 0.00              | 231.30               |                |                               |

THIS IS NOT A BILL. DO NOT PAY.

ATTACHMENT 7 OF 7