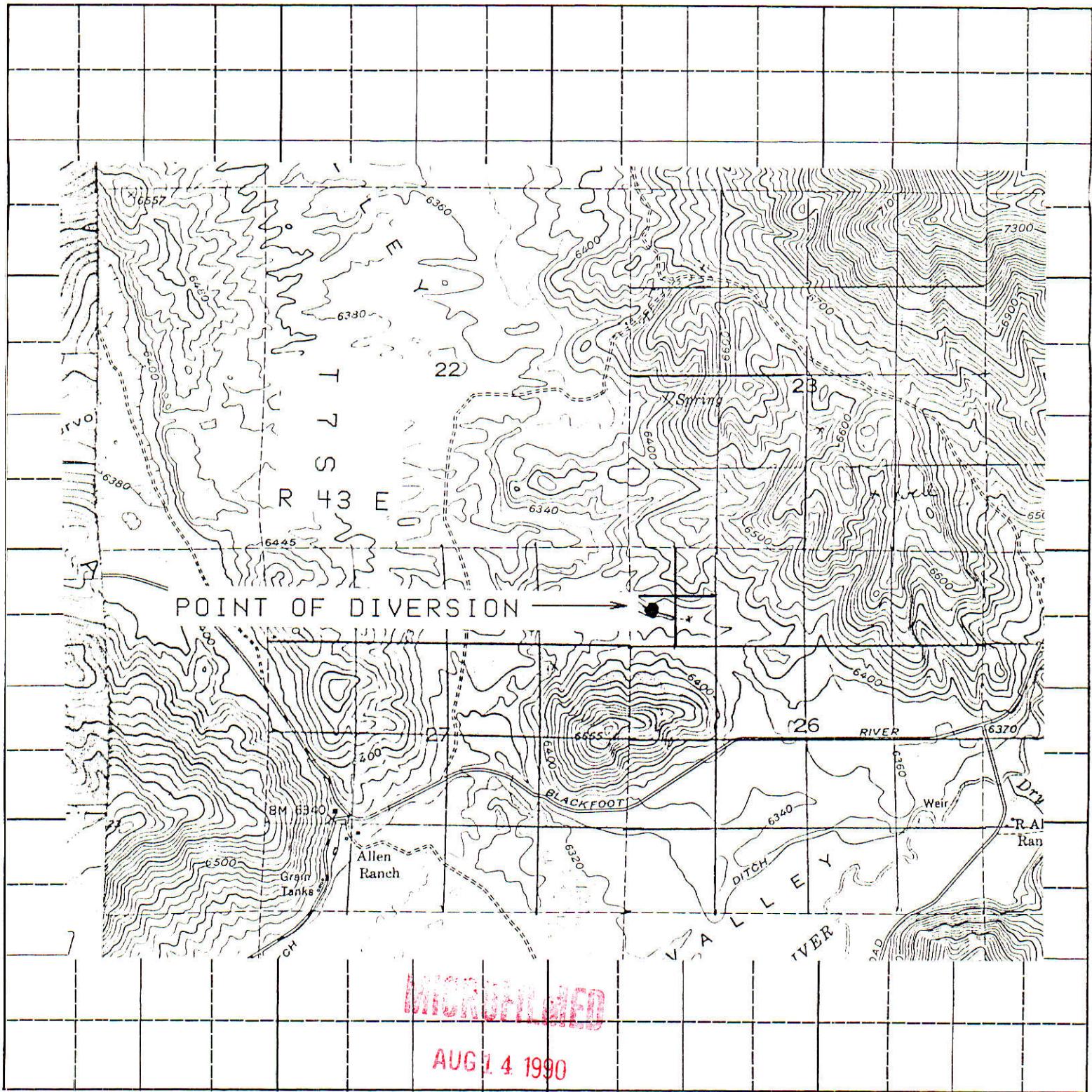


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Rhone-Poulenc
Basic Chemicals Co.
Mgr. Phosphate Rock Operations

Applicant

T7S
R43E

POINT OF DIVERSION
AND
PLACE OF USE

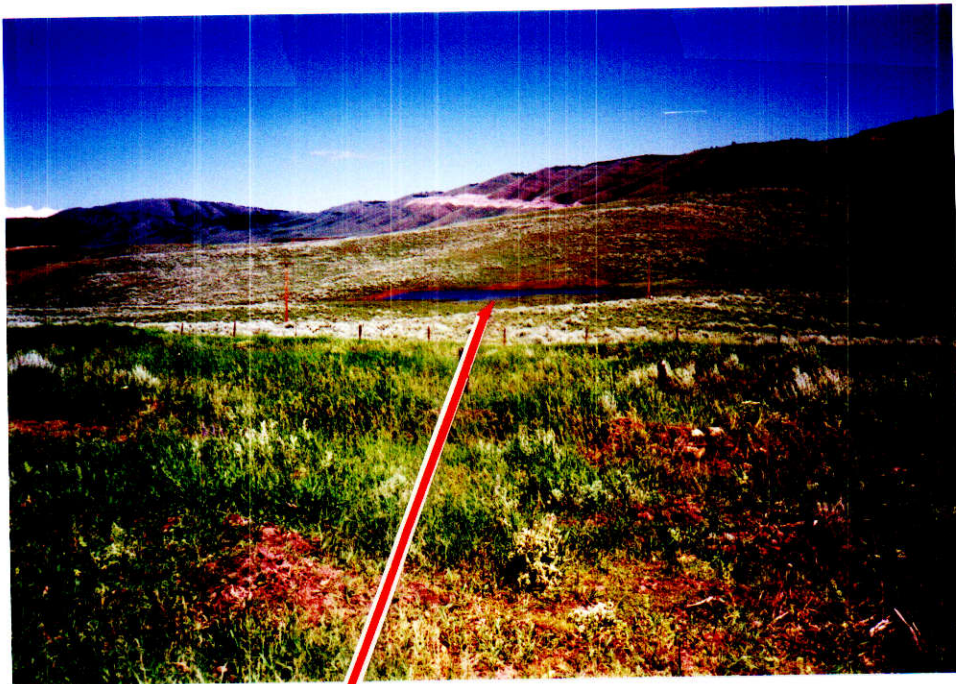
27-07502

NOTED

OCT 22 1937

LOWER
34

35



POINT OF DIVERSION
AND PLACE OF USE

27-7502

MICROFILMED

OCT 22 1967

**State of Idaho
Idaho Department of Water Resources**

RECEIVED

MAY 26 1998

Department of Water Resources
Eastern Region

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: 27-07540, 27-07499, 27-07506, 27-07417, 27-07500,
27-07505, ~~27-07539~~, 27-07501, 27-07503, 27-07504, 27-07502

- Adjudication Claim No(s).: N/A

2. The following REQUIRED information must be submitted with this form:
 - a. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION. See attached Narrative and Attachments A.1. and A.2.
AND
 - b. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.) N/A. Property conveyed exceeds ten acres.
OR
 - c. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked. N/A. Rights are for non-irrigation uses.

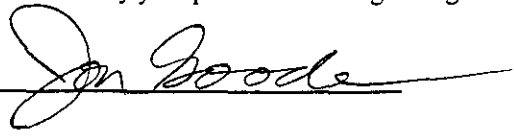
3. Name and Address of Former Owner/Claimant Rhodia Inc.
259 Prospect Plains Road, Cranberry, NJ 08512

4. New Owner/Claimant(s) Nu-West Industries, Inc.
New Mailing Address 3010 Conda Road
City, State and ZIP Code Soda Springs, ID 83276
New Telephone Number 208-547-4381

5. Date you acquired the property January 29, 1998

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages. N/A
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____

6. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner Or Claimant(s) Nu-West Industries, Inc. by: 

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
See Attachment B

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

Clients\50171\NOCUWEST.DOC

MICROFILMED

Refer to 27-07417 for ownership change support documentation. Ret 4-22-99

MAY 03 1999

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 27-07502

Priority: February 12, 1990

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

1.3 AF

This is to certify, that RHONE POULENC
PO BOX 160

MONTPELIER ID 83254

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated February 12, 1990; and
has submitted Proof of Beneficial Use on June 11, 1991. An examination indicates
that the works have a diversion capacity of 0.030 cfs of water from:

SPRING

tributary to SINKS

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.03 CFS	1.3 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 26, Township 07S, Range 43E
CARIBOU County

PLACE OF USE: STOCKWATER

TWN RGE SEC

07S 43E 26

NWNW

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 27.
6. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

RECORDED
OCT 22 1997

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 27-07502

CONDITIONS OF APPROVAL AND REMARKS

7. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 25TH day of SEPTEMBER, 1997.


Acting for KARL J. DREHER, Director

MICROFILMED

OCT 22 1997

RECEIVED
JUN 11 1991

Department of Water Resources

STATE OF IDAHO

For Office Use Only
Amt. of Fee \$ _____
Date _____
Receipt No. _____
Received by _____

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 27-07502 Telephone No. 208-547-2183

2. Name(s) of Permit Holder(s): Rhone-Poulenc

3. Post Office Address: P.O. Box 160 Montpelier, Id.

4. Source of Water: Spring

a. If ground water, well driller's name: N/A Date drilled: N/A

b. Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use:

Domestic _____ (No. of households) Irrigation _____ (No. of acres)

Stockwater X (No. and type of stock) 150 Cows Other _____
Cattle

6. Total rate and/or volume for which proof is submitted 0.03 cfs _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? Yes XNo Installed? Yes No

OR

Flow Measurement Port: Required? Yes XNo Installed? Yes No

8. Fee Enclosed: \$ not req. (See License Examination Fee Schedule)

9. Person to contact to accompany the Department representative during the field examination:

Wendell Johnson 208-547-2183

Name

Telephone No.

P.O. Box 160 Montpelier, Id. 83254

Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

06/06/91

Date

Wendell Johnson
Signature (and title if on behalf of a company or organization)

RECORDED
JUL 01 1991
Mining Engineer

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 27-07502

Proposed Priority: February 12, 1990 Maximum Diversion Rate: 0.03 CFS
This is to certify, that **RHONE-POULENC**
P.O. BOX 160
MONTPELIER, ID 83254
has applied for a permit to appropriate water from: **SPRING**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
STOCKWATER	01/01 to 12/31	0.03 CFS

LOCATION OF POINT(S) OF DIVERSION: SWNNWN Sec. 26, Township 07S, Range 43E
CARIBOU County

PLACE OF USE: STOCKWATER

TWN RGE SEC

07S 43E 26 NWNW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **August 1, 1991**.
2. Subject to all prior water rights.
3. Use of water under this permit is subject to control by the watermaster of State Water District No. 27.
4. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
6. The maximum rate of diversion for stockwater purposes under this permit shall not exceed 0.03 cfs.
7. Stockwater use is for 100 head.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

31 day of July, 1990.

MICROFILMED

AUG 14 1990

[Signature]
for R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Rhone - Poulenc Phone 847-2185
Post office address PO Box 160 Montpelier, ID 83254
2. Source of water supply spring* ~~stock pond~~ which is a tributary of n/a
3. Location of point of diversion is SW $\frac{1}{4}$ of nw $\frac{1}{4}$ of nw $\frac{1}{4}$, Govt. Lot _____
Sec. 26 Township 7s Range 43e B.M. Caribou County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
0.03 cfs AS PER PHON/CON WITH WENDALL JOHNSON 7/6/90
Amount 0.1 for stock watering purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.1 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Stock pond below spring

b. Height of storage dam 5 ft feet; active reservoir capacity 2 AF acre-feet; total
reservoir capacity 4 AF acre-feet; period of year when water will be diverted to storage:
Jan 1 to Dec 31 inclusive.
c. Proposed well diameter is n/a inches; proposed depth of well is n/a feet.
n/a
d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 Yr years (minimum 1 year).

AUG 14 1990

*Per item 6a. kw 7/24/90

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. n/a
- b. Stockwatering; list number and kind of livestock. 100 head cattle
- c. Municipal; show name of municipality. n/a
- d. Domestic; show number of households. n/a
- e. Other; describe fully. n/a

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: *D* for *Domestic*) in the corresponding place of use below. See instructions for standard symbols:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7s	43e	26					S												

Total number of acres to be irrigated n/a

10. Describe any other water rights used for the same purposes as described above. n/a

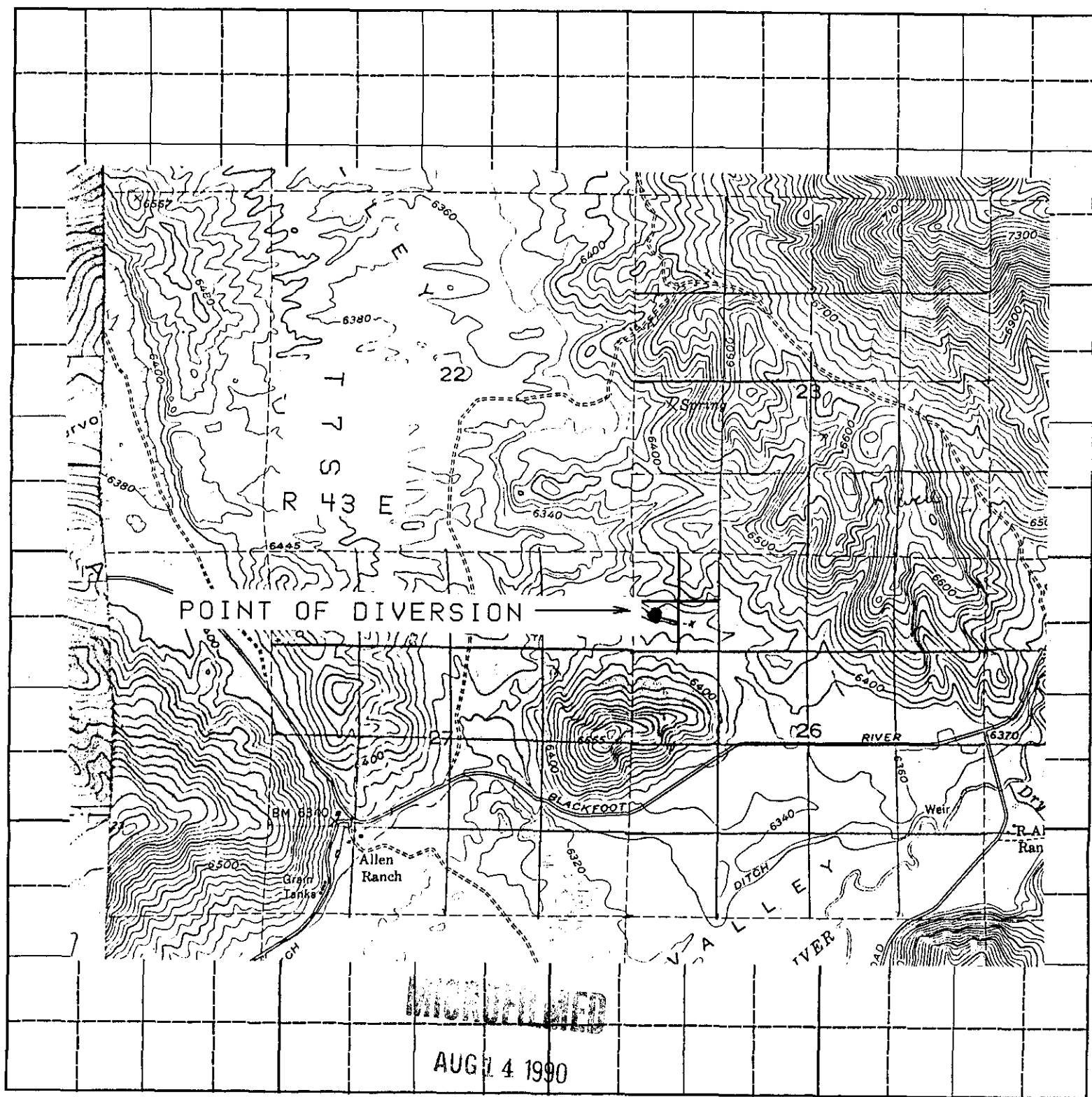
11. a. Who owns the property at the point of diversion? Rhone - Poulenc
- b. Who owns the land to be irrigated or place of use? Rhone - Poulenc
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. n/a

12. Remarks: _____

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AUG 14 1990

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Rhone-Poulenc
Basic Chemicals Co.
Mgr. Phosphate Rock Operations

[Signature]

Received by CW Date 2-8-90 Time 1:15p. Prelimin. check by _____
Fee \$ 30.00 Received by HWS # EO/2019 Date 2-12-90
Publication prepared by RB Date 4-19-26-90 Published in Caribou City Sun
Publication approved RB Date 6-5-90

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

MICROFILMED

AUG 14 1990

Rhone-Poulenc Basic Chemicals Company

Main Office: Paris, France

United States Office: Shelton, CT

Pres. (U.S.):

Sam Russo

Sec. (U.S.):

Mason Patillo

As per phon/con with Rhone-Poulenc 2/23/90 PRM

MICROFILMED

AUG 14 1990

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

Mark Steele

being first duly sworn on his oath, states:

That he is Publisher of the Caribou County Sun, a newspaper of general circulation in Caribou County, Idaho, published weekly at Soda Springs in said County that said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement;

That the annexed notice was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof

for 2 successive weekly issues thereof, the date of the first publication being the

19th day of April, 1990

The date of the last publication being the 26th day of

April, 1990

On this 9th day of May

in the year of 1990 before

me, a Notary Public, personally appeared

Mark Steele
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Mark Steele
Notary Public for Idaho
Residing at Soda Springs, Idaho
My commission expires:

March 11, 1994

Use: STOCKWATER (.080 CFS)
Total Diversion: (.080 CFS)
Date Filed: 2-8-1990
In: T07S R43E S23 NWSE

27-07502

RHONE-POULENC
P.O. BOX 160
MONTPELIER, ID 83254
Source: STOCKPOND
Diversion Point: SWNWNW Sec 26
T 07S R 43E

Use: STOCKWATER (.100 CFS),
Total Diversion: (.100 CFS)
Date Filed: 2-8-1990
In: T07S R43E S26 NWNW

27-07503

RHONE-POULENC
P.O. BOX 160
MONTPELIER, ID 83254
Source: SPRING
Diversion Point: NWSENE Sec 27 T
07S R 43E

Use: STOCKWATER (.100 CFS),
Total Diversion: (.100 CFS)
Date Filed: 2-8-1990
In: T07S R43E S27 SENE

27-07504

RHONE-POULENC
P.O. BOX 160
MONTPELIER, ID 83254
Source: GROUNDWATER
Diversion Point: NESWSE Sec 23 T
07S R 43E

Use: COMMERCIAL (.080 CFS),
Total Diversion: (.080 CFS)
Date Filed: 2-8-1990
In: T07S R43E S23 SWNE

27-07505

RHONE-POULENC
P.O. BOX 160
MONTPELIER, ID 83254
Source: GROUNDWATER
Diversion Point: NWNW Sec 23 T
07S R 43E

Use: COMMERCIAL (.080 CFS),
Total Diversion: (.080 CFS)
Date Filed: 2-8-1990
In: T07S R43E S23 NWNW

27-07506

RHONE-POULENC
P.O. BOX 160
MONTPELIER, ID 83254
Source: GROUNDWATER
Diversion Point: NENWNE Sec 22 T
07S R 43E

Use: INDUSTRIAL (1.120 CFS),
Total Diversion: (1.120 CFS)
Date Filed: 2-8-1990
In: T07S R43E S14 SWSW

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before MAY 1, 1990.

R. KEITH HIGGINSON,
Director

Published April 19 and 26, 1990 in the Caribou County Sun.

RECORDED
AUG 14 1990

RECORDED

MAY 11 1990

Department of Water Resources
Eastern District Office

PUBLIC NOTICE

First Time Published

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

24-07176

NATE, ROBERT L.
385 SHELLEY AVE.
SHELLEY, ID 83274
Source: CROW CREEK trib. to
SALT RIVER

Diversion Point: SESWSW Sec 1 T
10S R 45E

Use: IRRIGATION (.030 CFS),
Total Diversion: (.030 CFS)

Date Filed: 1-30-1990
In: T10S R45E S01 SWSW, 1.0
ACRES TOTAL

27-07494

MODERSITZKI, DAVID M.
YOST, PHIL J.
1760 RICH RD.
GRACE, ID 83241

Source: GROUNDWATER
Diversion Point: NENE Sec 35 T
05S R 40E

Use: IRRIGATION (6.670 CFS),
Total Diversion: (6.670 CFS)

Date Filed: 2-12-1990
In: T05S R40E S26 NESE NWNW

SWSE SESE, S35 NENE NWNW
SWNE SENE, S36 NENW NWNW
SWNW SENW, 480.0 ACRES TOTAL

27-07495

MODERSITZKI, DAVID M.
YOST, PHIL J.
1760 RICH RD.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

April 29, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

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

RE: Water Rights 27-07417/27-07499/27-07500/27-07501/27-07502/
27-07503/27-07504/27-07505/27-07506/27-07540

Dear Water Right Holder(s):

The Department is in receipt of the correspondence changing the ownership of the above referenced water rights to you. We have modified our records to reflect this change in ownership and computer-generated reports are enclosed.

Just a reminder, because of a law that went into effect July 1, 1996, all water right owners are required to report change of address or ownership to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee to the water right owner. If you have other water rights that haven't had the ownership updated please contact the department as soon as possible.

If you have any questions regarding this matter, please feel free to contact me at (208) 327-7947.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosure

MICROFILMED
MAY 03 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

September 26, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RHONE POULENC
PO BOX 160
MONTPELIER ID 83254

RE: WATER RIGHT NO. 27-07502

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

MICROFILMED

SEP 22 1997

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Sincerely,

A handwritten signature in cursive script, reading "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

RECORDED

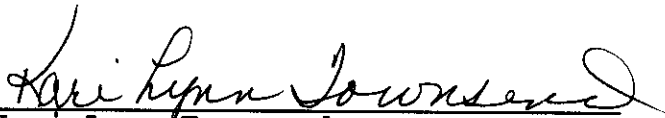
SEP 22 1937

CERTIFICATE OF MAILING

I hereby certify that on the 26th day of **September, 1997**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 27-07502

RHONE POULENC
PO BOX 160
MONTPELIER ID 83254


Kari Lynn Townsend
Secretary

MICROFILMED

OCT 22

LICENSE REVIEW CHECKLIST

PERMIT NO. 27-07502

DATE 9/23/94

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>No</u>
SOURCE	<u>—</u>	<u>✓</u>	Is change clarification of originally intended source? <u>—</u>
POINT OF DIV	<u>—</u>	<u>✓</u>	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	<u>—</u>	<u>✓</u>	Amendment required <u>No</u>

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate	<u>.03</u> cfs	NO FEE PD OR REQD AT TIME OF B/LU PROCESSING
Fee limit	<u>.04</u> cfs	
Measured	<u>.02</u> cfs	
Theoretical	<u>—</u> cfs	

Recommended Total Div Rate .03 cfs

ANNUAL VOLUME/ NATURE OF USES <u>—</u>	<u>✓</u>	Use <u>stock</u> <u>.03</u> cfs	Volume Calc <u>1.3</u> af
			<u>—</u> af
			<u>—</u> af
			<u>—</u> af
		SUBTOTAL <u>.03</u>	<u>1.3</u> af

Flow rate .03 cfs X 365 days X 1.98 = 21.7 af
 Total volume recommended 1.3 af
 (SUBTOTAL or Flow Rate, whichever is less)

REMARKS

CONDITIONS R04 Watermaster Control WD# 27
— GW Measurement/Measuring Device
— Overlap

— Use-specific conditions 048, 049
 Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed N/A
 Adjustment Memo —

1st Amend Letter N/A
 2nd Amend Letter —

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAY 5 - 1997
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 27-07502

1. Owner: RHONE-POULENC Phone No. (208) 547-2183

Current Address: P.O. Box 160, Montpelier Id 83254

2. Accompanied by: ROB SQUIERS EXAM DATE: 7-12-1995

Address: — Phone No. —

Relationship to Permit Holder: ENVIRONMENTAL SPECIALIST

3. Source: SPRING tributary to SINKS

B. OVERLAP REVIEW

1. Other water rights with the same place of use: —

2. Other water rights with the same point of diversion: —

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	NW	NW	26	7S	43E	CARIBOU	ON SITE/USGS QUAD/NAPP PHOTO

2. Place(s) of Use:

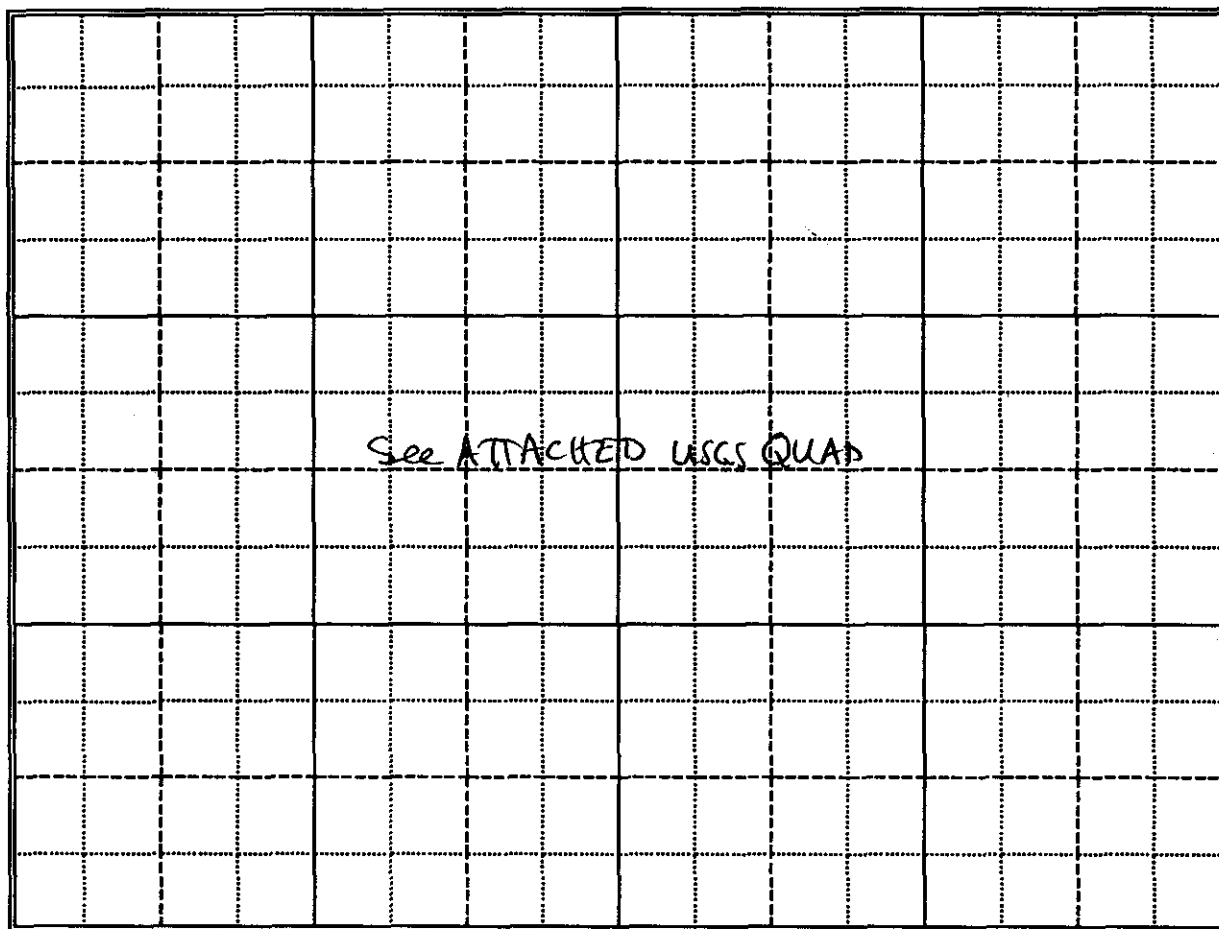
Indicate Method of Determination ON SITE/USGS QUAD

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	43E	26					S												

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DEC 2 1997

3. **Delivery System Diagram:** Illustrate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.



Scale: 1" = _____

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
FLUME	V-Notch Trapezoidal	Powhus	—	—	—	—

2. Measurements: 62mm

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E. NARRATIVE/REMARKS/COMMENTS

IN ADDITION TO SPRING FLOW, DURING SPRING RUNOFF WATER WOULD
BE CAPTURED BY SMALL STOCK POND.

WITH MEASUREMENT SO LATE IN THE SEASON RECOMMEND LICENSING AT
PERMITTED AMOUNT

STOCKWATER = 100 range cattle

Have conditions of permit approval been met? ☒ yes ☐ no

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F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

$$Q = 0.0154 \text{ cfs} = 0.02 \text{ cfs}$$

RECOMMEND LICENSING AT PERMITTED AMOUNT

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

$$V_{\text{stock}} = 100 \text{ head} \times 0.0134 = 1.3 \text{ afa}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
STOCKWATER	1/1	12/31	0.03 cfs	1.3 afa
Totals:			0.03 cfs	1.3 afa

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

STEVE MUELER

Field Examiner's Name KEITH C. WILSON Date 7-12-1995

Reviewer _____ Date _____

SEAL

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001 2 2 1997

POWLUS V FURROW FLUMES:

Discharge Equations for Sloping Wall Gauge

$$Q_{\text{gpm}} = 0.000143 (h - 1.5)^{2.63}$$

$$Q_{\text{cfs}} = [0.000143 (h - 1.5)^{2.63}] \div 448.8$$

Gage	Flow Rate		Gage	Flow Rate		Gage	Flow Rate		Gage	Flow Rate	
	mm	gpm		cfs	mm		gpm	cfs		mm	gpm
20	0.3	0.0007	50	3.9	0.0087	70	9.6	0.0214	90	18.9	0.0421
22	0.4	0.0009	51	4.1	0.0091	71	10.0	0.0223	91	19.4	0.0432
24	0.5	0.0011	52	4.3	0.0096	72	10.4	0.0232	92	20.0	0.0446
26	0.6	0.0013	53	4.5	0.0100	73	10.8	0.0241	93	20.6	0.0459
28	0.8	0.0018	54	4.8	0.0107	74	11.2	0.0250	94	21.2	0.0472
30	1.0	0.0022	55	5.0	0.0111	75	11.6	0.0258	95	21.8	0.0486
32	1.1	0.0025	56	5.3	0.0118	76	12.0	0.0267	96	22.4	0.0499
34	1.4	0.0031	57	5.5	0.0122	77	12.4	0.0276	97	23.1	0.0515
36	1.6	0.0036	58	5.8	0.0129	78	12.9	0.0287	98	23.7	0.0528
38	1.8	0.0040	59	6.1	0.0136	79	13.3	0.0296	99	24.3	0.0541
40	2.1	0.0047	60	6.4	0.0143	80	13.8	0.0307	100	25.0	0.0557
41	2.3	0.0051	61	6.6	0.0147	81	14.2	0.0316	101	25.7	0.0573
42	2.4	0.0053	62	6.9	0.0154	82	14.7	0.0326	102	26.4	0.0588
43	2.6	0.0058	63	7.2	0.0160	83	15.2	0.0339	103	27.1	0.0604
44	2.7	0.0060	64	7.6	0.0169	84	15.7	0.0349	104	27.8	0.0619
45	2.9	0.0065	65	7.9	0.0176	85	16.2	0.0361	105	28.5	0.0635
46	3.1	0.0069	66	8.2	0.0183	86	16.7	0.0372	106	29.2	0.0651
47	3.3	0.0074	67	8.6	0.0192	87	17.2	0.0383	107	30.0	0.0668
48	3.5	0.0078	68	8.9	0.0198	88	17.8	0.0397	108	30.7	0.0684
49	3.7	0.0082	69	9.3	0.0207	89	18.3	0.0408	109	31.5	0.0702

SOURCE: SPRING

DATE: 7-12-95

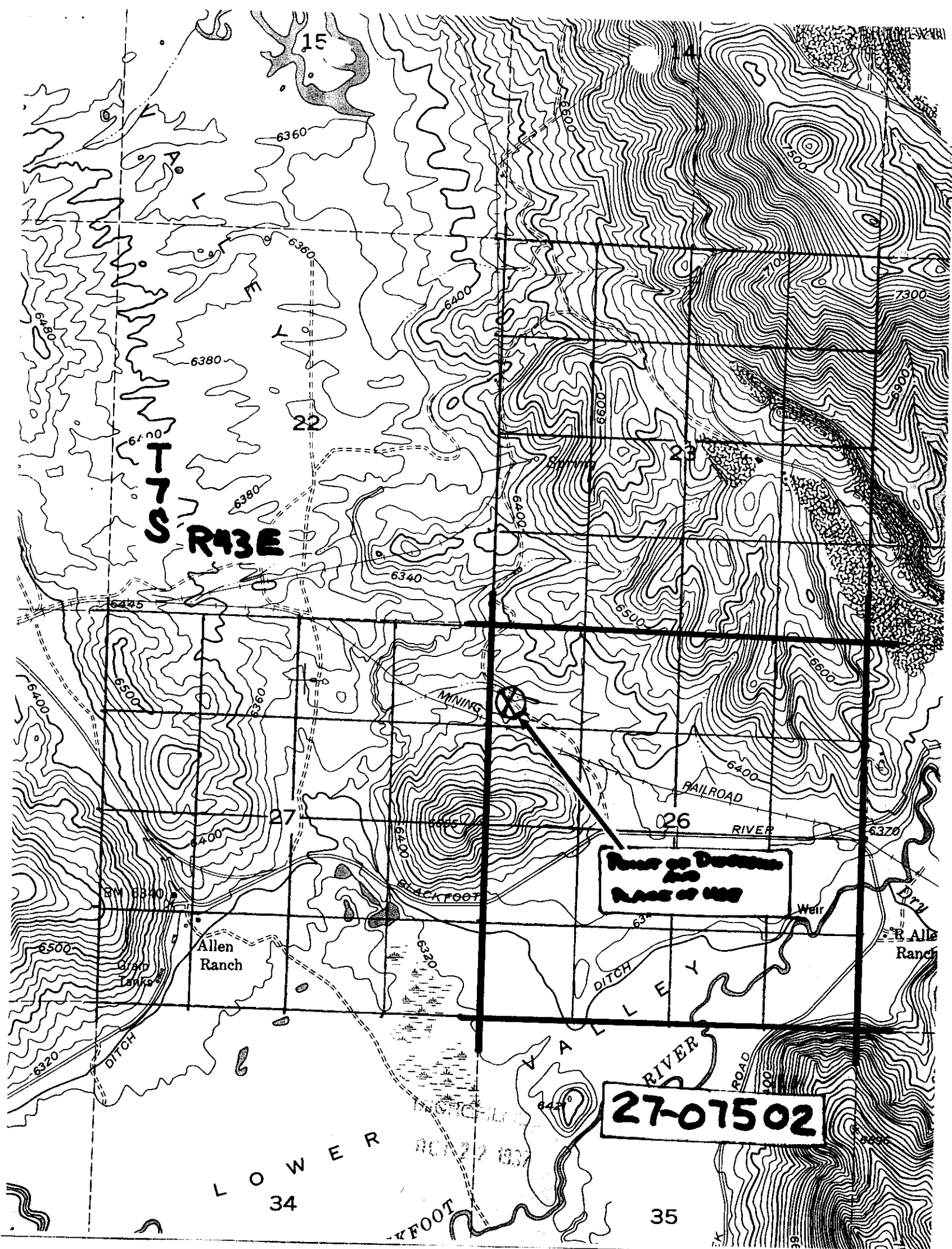
$$Q_{\text{gpm}} = 0.000143 (h-1.5)^{2.63} = 0.000143 [(62)-1.5]^{2.63} = 6.94 \text{ gpm}$$

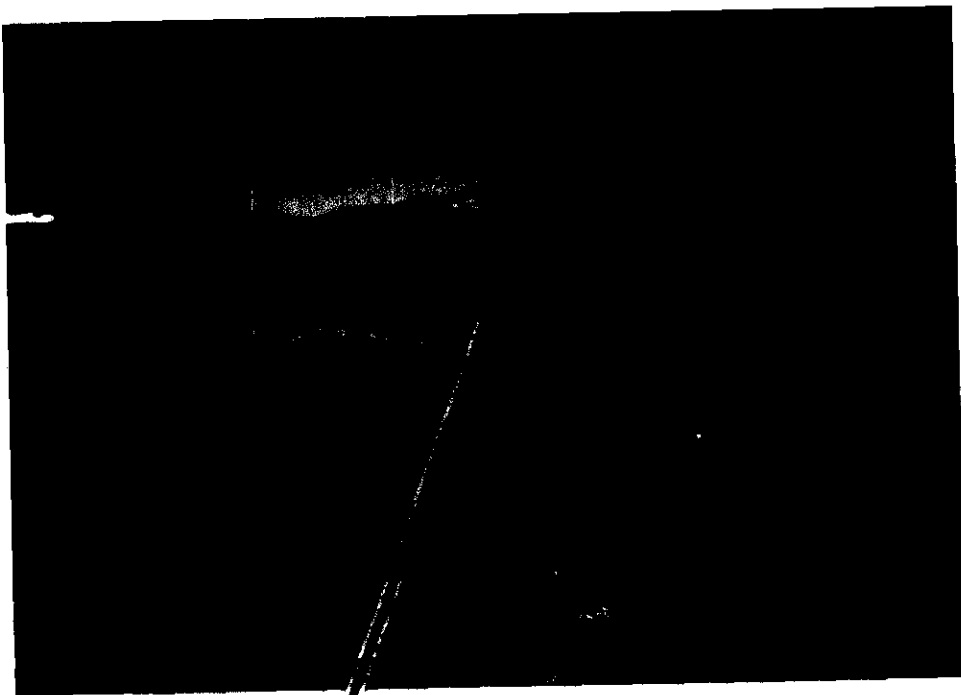
$$Q_{\text{cfs}} = Q_{\text{gpm}} \div 448.8 = 0.0154 \text{ cfs}$$

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OCT 22 1997

27-07502





POINT OF DIVERSION
AND PLACE OF USE

27-7502

UNPROCESSED

OCT 22 1967

June 13, 1991

RHONE-POULENC
P.O. BOX 160
MONTPELIER, ID 83254

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 27-07502

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

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JUL 01 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 27-7502

Date 6-12-91

GENERAL CONSIDERATIONS

- ☒ Name same as permit?
☒ Address same as permit? If no, indicate below.
☒ Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

- ☒ Surface water source
☐ Ground water source
☒ NA Drill permit req'd?
☐ Copy in file? Drill permit no. _____
☐ Amt paid for drilling permit? _____ Correct?
☐ Well log in file?

LICENSE EXAMINATION FEE

- ☒ NO Required?
☐ Amount submitted?
☐ Correct amount?

MEASURING DEVICE

- ☒ NO Measuring device or access port required?
☐ Installed?
☐ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

proof acceptable

PRIORITY CALCULATION

Date proof received	<u>NA</u>	
Date proof due	<u> </u>	-
No. of days late	<u> </u>	=
Priority date	<u> </u>	+
NEW PRIORITY DATE	<u> </u>	=

LB



RHÔNE-POULENC BASIC CHEMICALS CO.

720 WASHINGTON STREET
P.O. BOX 160
MONTPELIER, ID 83254
TEL: (208) 847-2185
FAX: (208) 847-0690

June 6, 1991

State of Idaho
Department of Water Resources
1301 North Orchard Street, Boise, Id. 83720-9000

RE: Permit No. 27-07496, 27-07497, 27-07498, 27-07499, 27-07500
27-07501, 27-07502 and 27-07503.

Dear Rita Fleck:

Enclose are Proof of Beneficial Use Statements for our permits that we have filed in your office.

Since all permits in this batch are under 0.04 CFS flow, we have not forwarded any money for licence examination fees as instructed on the reverse side of the "Instructions For Proof of Beneficial Use".

Feel free to come and visit our operation and inspect these sites.

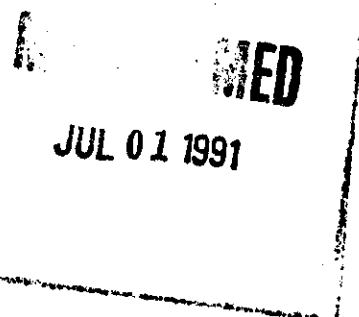
If any other information is required to secure water rights to these permits, please feel free to contact us.

Sincerely,

A handwritten signature in cursive script, reading 'Wendell E. Johnson', followed by a horizontal line.

Wendell E. Johnson

SDWR0691.TXT



138621
~~XXXXXX~~
May 31, 1991

RHONE-POULENC
P.O. BOX 160
MONTPELIER, ID 83254

PROOF DUE NOTICE

RE: PERMIT NO. 27-07502

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

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JUL 01 1991

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 327-7900
August 1, 1990

RHONE-POULENC
P.O. BOX 160
MONTPELIER, ID 83254

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 27-07502

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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AUG 14 1990

Dist. for staffing 2-13-90

Subm. for advertising 2-26-90

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY DM DATE 2-22-90 APPLICATION NUMBER 277502
Rhone-Poutenc #7

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
☐ Overlapping point of diversion
☒ Yes ☐ No Field check required
☒ Yes ☐ No Field check by _____
☒ Yes ☐ No Field report attached
☒ Yes ☐ No Critical groundwater area
☒ Yes ☐ No Groundwater management area
☒ Yes ☐ No Send dam safety information
☒ Yes ☐ No Send power requirement letter
☒ Yes ☐ No Send fish farm requirement letter
☒ Yes ☐ No Power residency affidavit
☒ Yes ☐ No Power efficiency form
☒ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
☒ Yes ☐ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
☐ See reverse side for additional information

JUL 12 1990

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

RECEIVED
JUN 12 1990

Department of Water Resources

PROCESSING

☒ Yes ☒ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO

☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☐ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 5-7-90
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. 27
☐ Yes ☐ No Special conditions of approval or cover letter below. _____

See below for additional information
Date of priority recommended 2-12-90
By HWS Date 6-11-90

STATE OFFICE REVIEW

P16 05(27)849 28(stockwater 0.03 cfs)

See below for additional information
By KW Date 7-24-90

ADDITIONAL INFORMATION

App. in NON-TRUST area -

27-07502

RHONE-POULENC
P.O. BOX 160
MONTPELIER, ID 83254

Source: STOCKPOND

Diversion Pt: SWNWNW Sec 26 T 07S R 43E

Use: STOCKWATER (.100 CFS)
Total Diversion: (.100 CFS)

Date Filed: 2/ 8/ 1990

In: T07S R43E S26 NWNW

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AUG 14 1990