

RECEIVED

JAN 5 1976

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that FMC Corporation, Pocatello, Idaho has on 12-18-75 submitted Application No. 27-7058 for a permit to appropriate 2.00 cubic feet per second of water from a ground-water source by means of well, pump and pipeline within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, T. 8S, R. 44E, B.M., Caribou County; to be used from Jan. 1 to Dec. 31 for mining and processing purposes within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, T. 8S, R. 44E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before January 12, 1976.

R. KEITH HIGGINSON
Director

Published in the Caribou County Sun, Soda Springs, Idaho on December 25, 1975 and January 1, 1976. *ed*

**Affidavit of
Publication**

County of Caribou }
State of Idaho } ss.

Ora Lansberry

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

25th day of

December, 1975.

The date of the last publication

being the 1st day of

January, 1976

Ora Lansberry

Subscribed and sworn to be-

fore me this 2nd day

of January, 1976

Elaine S. Johnson

Notary Public, residing
at Soda Springs, Idaho

(SEAL)

My Commission expires the

1st day of November

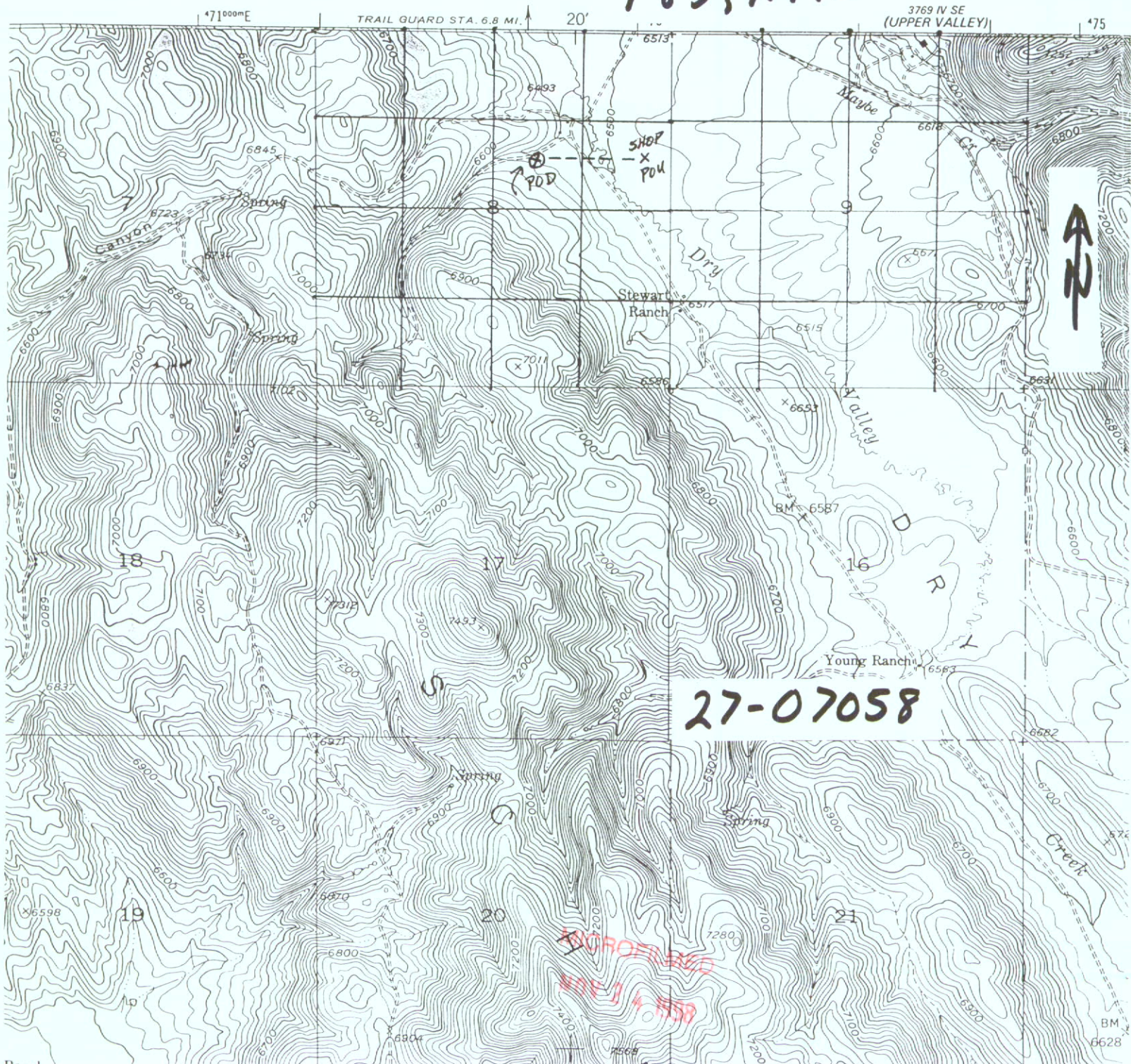
1978.

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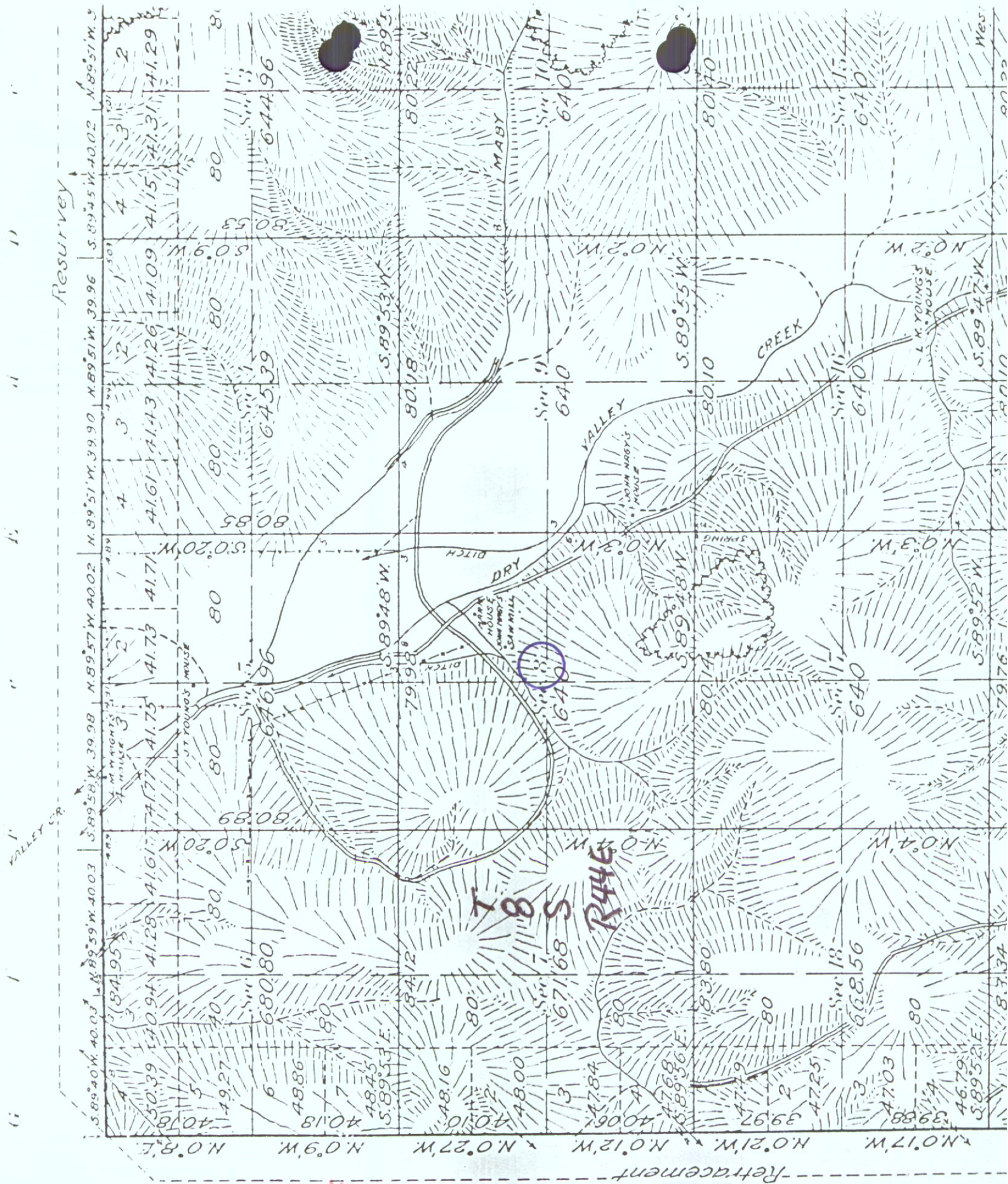
BB-48

UNITED STATES
BUREAU OF LAND MANAGEMENT
CALIFORNIA SURVEY

T8S, R44E



27-07058



FMC
MINING

313



VIEW OF
MAIN SHOP
DRY VALLEY

PLACE OF
USE



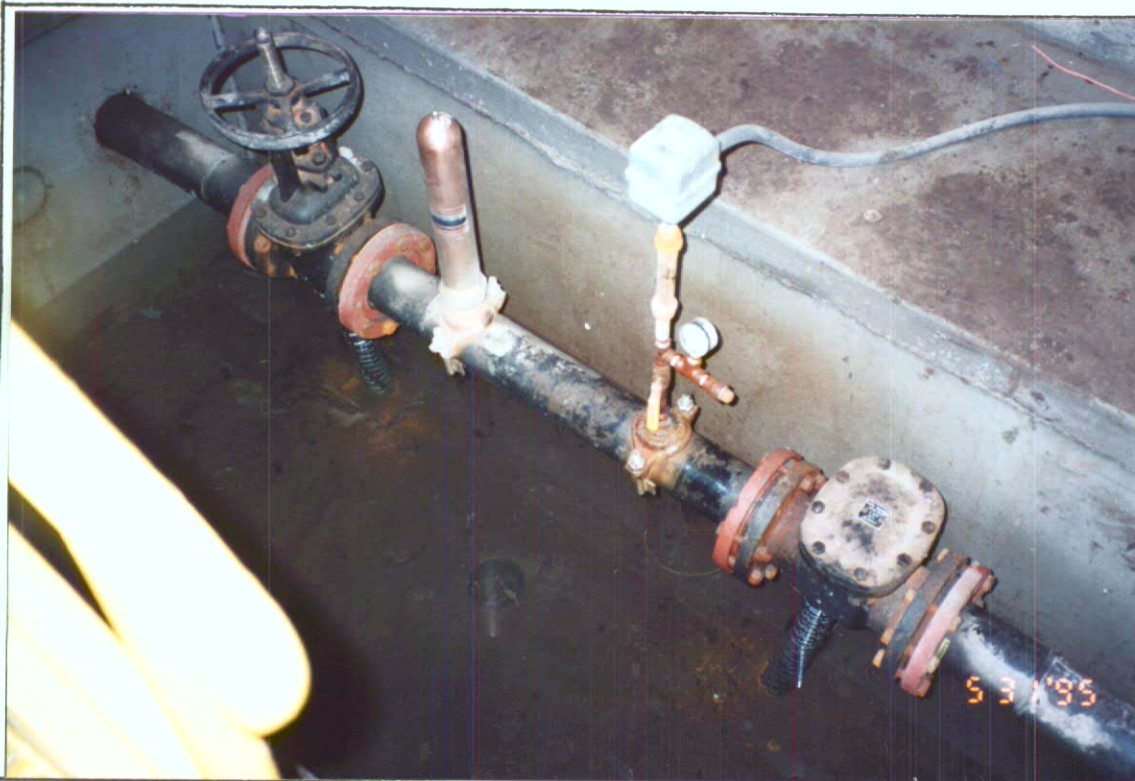
STORAGE
POND
WATER
PUMPED
TO TANK
TRUCKS FOR
DUST
SUPPRESSION

MICROFILMED
NOV 24 1998

27-07058

FMC
MINING

2 of 3



VALVING
CONTROLS
FLOW METERS
IN PUMP
HOUSE NEAR
WELL



DOMESTIC
+ SHOP
PRESSURE
TANK ON
MAIN FLOOR
OF SHOP

MICROFILMED
NOV 24 1998

27-07058

FMC
MINING

15/3

DISTANCE
VIEW OF
POINT OF
DIVERSION



POD
WELL
+ CONTROL
PANEL

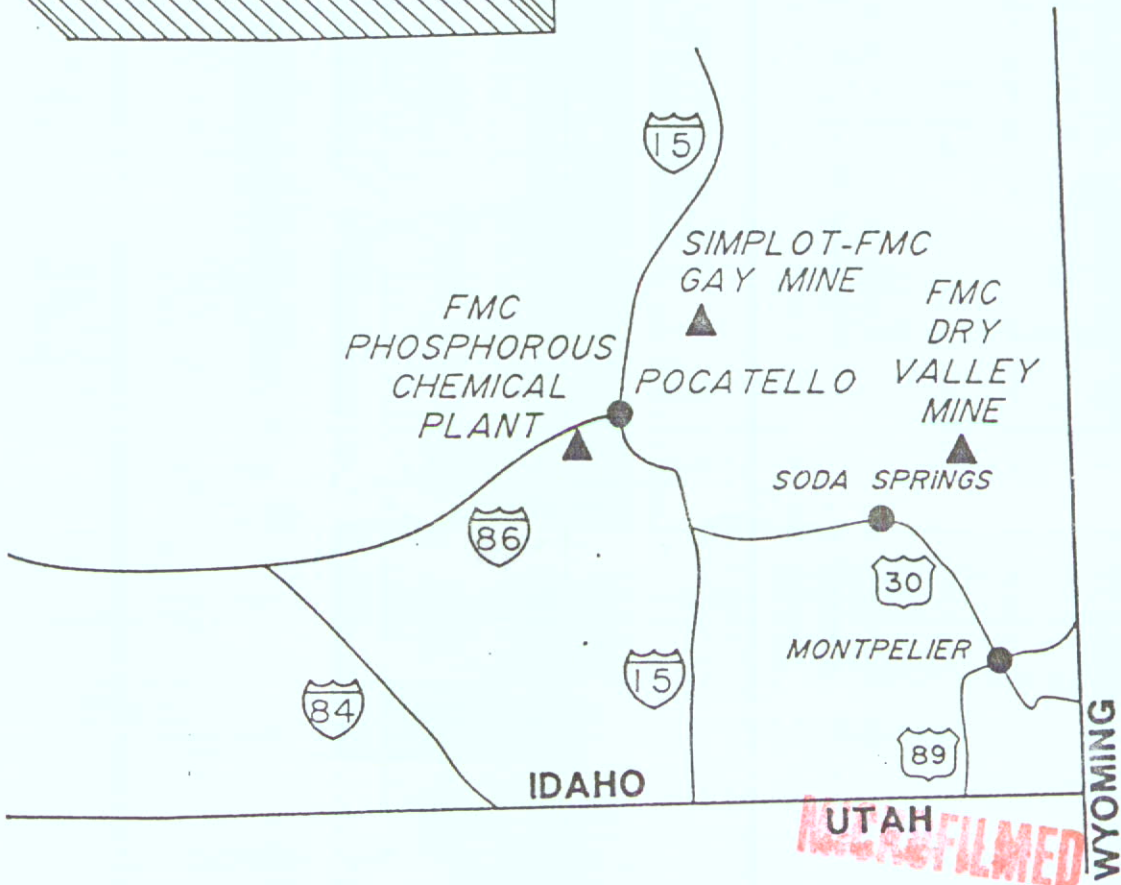
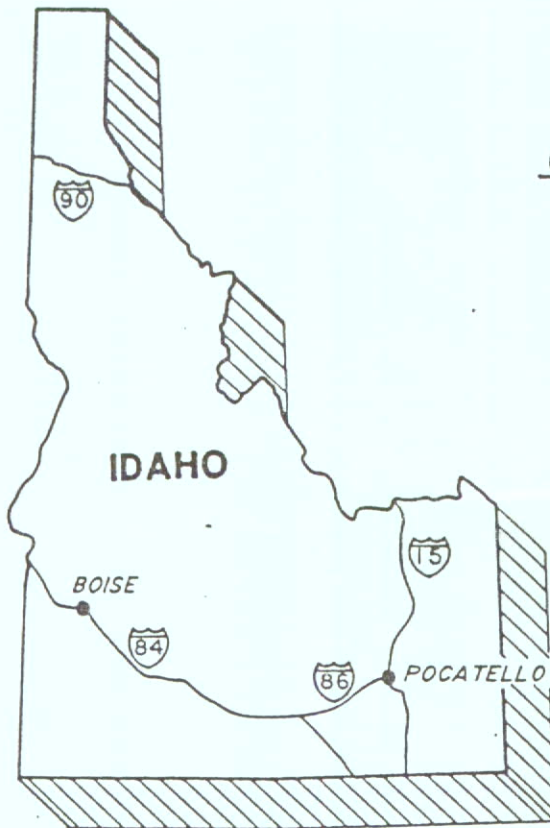


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NOV 24 1998

27-07058

GENERAL LOCATION MAP

FIGURE 1

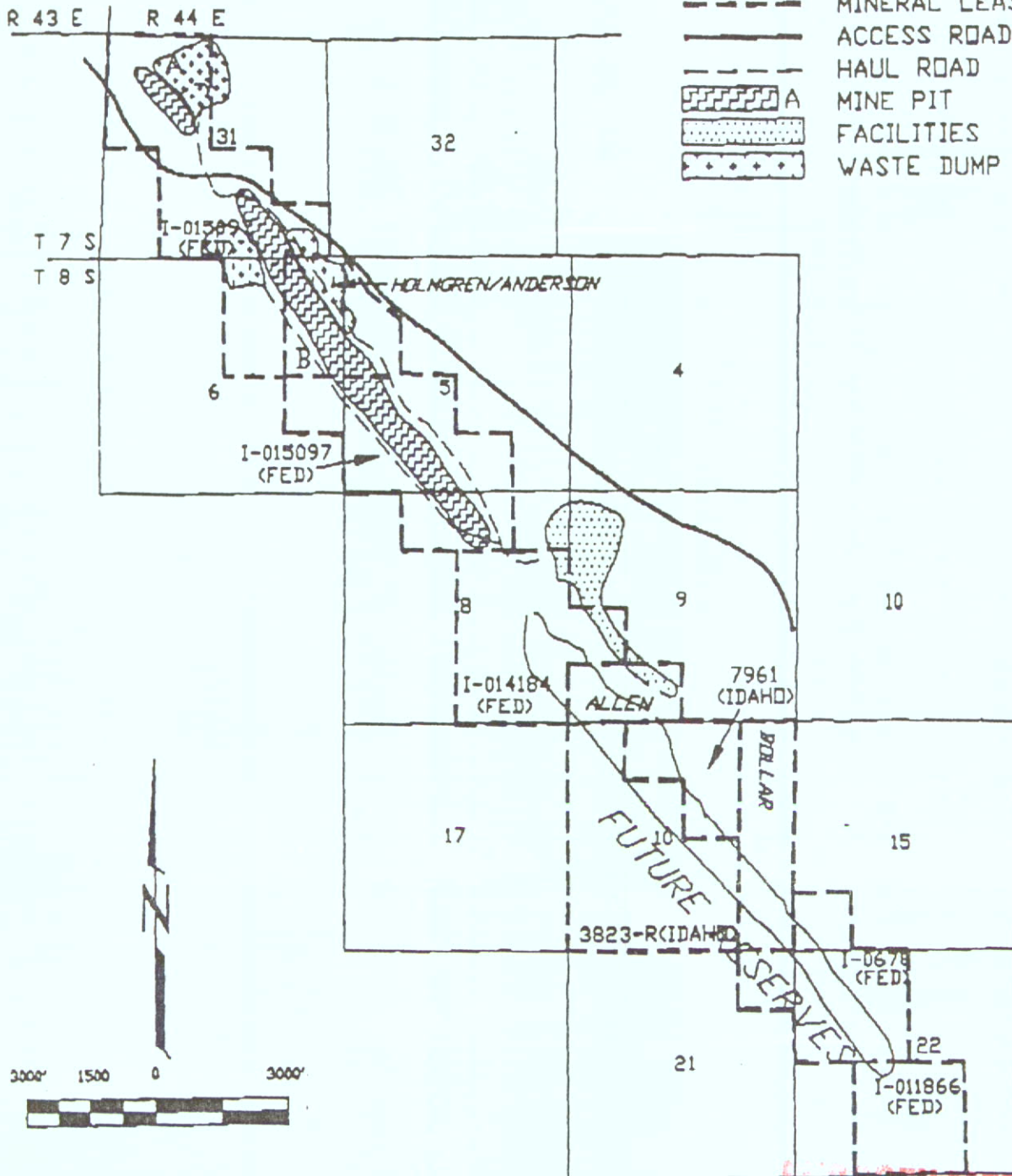


UTAH
REFILMED

MAR 15 1991

LEGEND

- MINERAL LEASE
- ACCESS ROAD
- - - HAUL ROAD
- ▤ A MINE PIT
- ▥ FACILITIES
- ▧ WASTE DUMP



DRY VALLEY LOCATION MAP MAR 15 1991
FIGURE 2

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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Department of Water Resources
Eastern Region

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): 27-04063, 27-07057, 27-07058, undivided 23% interest in 27-02050 and 27-02053, undivided 50% interest in 27-02162, and 29-02255c
 Adjudication Claim No(s): A27-04063, A27-07057, A27-07058, A27-02050, A27-02053, A27-02162, A29-02255c
 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.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s).
 (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant FMC Corporation
1735 Market St., Philadelphia, PA 19103

4. New Owner/Claimant(s) Astaris Production LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 10300 Olive Blvd.
 City, State and ZIP Code St. Louis, MO 63166
 New Telephone Number (208) 547-2700 ext. 17 Gary Resh
4-12-00

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Department of Water Resources

5. Date you acquired the property _____
6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. 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. See attached profiles.

Number of acres you irrigate with this water right _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) ASTARIS PRODUCTION LLC, a Delaware limited liability company
 or Claimant(s) By: [Signature]

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

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.

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Department of Water Resources
Eastern Region

THIS INSTRUMENT FILED FOR RECORD
BY ALLIANCE TITLE & ESCROW CORP. AS AN
ACCOMMODATION ONLY. IT HAS NOT BEEN
EXAMINED AS TO ITS EXECUTION OR AS TO
ITS EFFECT UPON THE TITLE.

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, **FMC Corporation**, a Delaware corporation, the Grantor, does hereby grant, bargain, sell and convey unto **Astaris Production LLC**, a Delaware limited liability company, the Grantee, whose address is 10300 Olive Boulevard, St. Louis, MO 63166, the following described real property, to-wit:

The property described in Exhibit A attached hereto and, by this reference, incorporated herein as if set forth in full, which property is located in Caribou County, State of Idaho,

TOGETHER WITH all of Grantor's right, title and interest in and to mineral and oil and gas rights thereon and thereunder,

TOGETHER WITH all water rights appurtenant thereto, including, without limitation, all of water right numbers 27-04063, 27-07057 and 27-07058, an undivided 23% interest in water right numbers 27-02050 and 27-02053, and an undivided 50% interest in water right number 27-02162,

TOGETHER WITH i) all other and singular tenements, hereditaments, appurtenances and improvements thereon or thereunto belonging, ii) all reversionary, underlying or other right, title and interest of Grantor in and to the rights-of-way of all public roads, streets, or ways, and of all railroads or easements, abutting upon said premises or any part thereof, and iii) all right, title and interest of Grantor in and to any and all lands lying beneath, or constituting the bed of any waterway or body of water, abutting upon said premises or any part thereof.

SUBJECT TO:

(i) existing building and zoning regulations, easements, rights-of-way, subdivision and deed restrictions and reservations, and all other matters of record similar to the foregoing;

(ii) matters which a survey or inspection of the premises would reveal;

(iii) the lien for local real property taxes for the current year which are not yet due and payable; and

(iv) unpatented mining claims and reservations or exceptions in patents or in Acts authorizing the issuance thereof.

TO HAVE AND TO HOLD the same, together with all rights and appurtenances to the same belonging, unto Grantee and its successors and assigns forever.

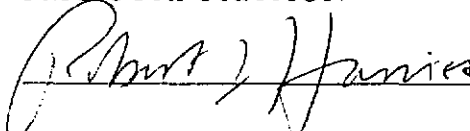
WARRANTY DEED - 1

MICROFILMED
APR 26 2001

Grantor does hereby covenant that it and its successors shall and will WARRANT and DEFEND the title to said premises unto Grantee and its successors and assigns forever against the lawful claims of all persons claiming by, through or under Grantor but none other, excepting, however, the matters above set forth.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand effective as of the 12th day of April, 2000.

FMC CORPORATION



By: Robert I. Harries
Title: Vice President

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Department of Water Resources
Eastern Region

STATE OF PENNSYLVANIA)
: ss.
County of Philadelphia)

On this 11th day of April, 2000 before me, Doris McKeone, a notary public in and for said State, personally appeared Robert I. Harries, known or identified to me to be the Vice President of FMC CORPORATION, the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

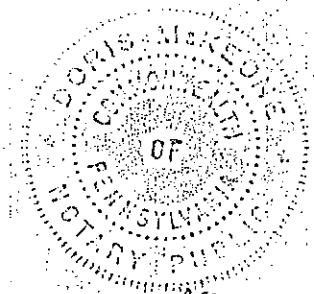


Notary Public

Residing at: _____

My Commission Expires: _____

2610623_4.DOC



NOTARIAL SEAL
DORIS McKEONE, Notary Public
City of Philadelphia, Phila. County
My Commission Expires Sept. 21, 2002

WARRANTY DEED - 2

MICROFILMED
APR 26 2001

EXHIBIT A

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MAY 8 - 2000

APR 21 2000

PARCEL Department of Water Resources Eastern Region

A parcel of land located in Sections 30, 31, & 32, Township 7 South, Range 44 East, Boise Meridian, Caribou County, Idaho and further described as follows:

Beginning at the Southwest corner of said Section 30 located North 00° 01' 12" East 2638.33 feet from the West quarter corner of said Section 31;
 Thence North 00° 05' 11" West 1320.34 feet to the Northwest corner of Lot 4 of said Section 30;
 Thence South 86° 58' 48" East 2532.39 feet to the Center South 1/16th corner of said Section 30;
 Thence South 86° 58' 50" East 2603.42 feet to the South 1/16th corner on the East line of said Section 30;
 Thence South 00° 03' 49" West 1326.52 feet to the Southeast corner of said Section 30;
 Thence North 87° 34' 46" East 1314.07 feet to the West 1/16th corner on the North line of said Section 32;
 Thence South 01° 43' 48" East 2524.61 feet to the Center West 1/16th corner of said Section 32;
 Thence South 01° 43' 54" East 2523.34 feet to the West 1/16th corner on the South line of said Section 32;
 Thence South 89° 48' 09" West 872.00 feet to a point on the Northeasterly right of way line of the Railroad, said point being North 89° 48' 09" East 446.49 feet from the Southwest corner of said Section 32;
 Thence North 48° 45' 25" West 609.60 feet along said Northeasterly right of way line to a point on the West line of said Section 32;
 Thence North 01° 41' 11" West 845.45 feet to the South 1/16th on the East line of said Section 31;
 Thence North 89° 20' 53" West 1003.22 feet along the South line of the NE1/4 SE1/4 of said Section 31 to a point on said Northeasterly right of way line;
 Following said right of way line the next 4 courses:
 Thence Northwesterly along a spiral curve, (chord bears North 60° 05' 33" West 69.56 feet);
 Thence North 60° 18' 55" West 973.17 feet to a point on a spiral curve;
 Thence Northwesterly along said spiral curve to a point of curve, (chord bears North 61° 19' 10" West 151.29 feet);
 Thence Northwesterly along said curve with a 1457.39 foot radius, through a central angle of 24° 35' 48", a distance of 625.65 feet to a point on the west line of the NW1/4 SE1/4 of said Section 31, (chord bears North 75° 36' 49" West 620.85 feet);
 Thence North 00° 59' 36" West 3131.46 feet to the North quarter corner of said Section 31;
 Thence North 86° 54' 34" West 2541.73 feet to True Point of Beginning.
 Containing 516.8 acres.

STATE OF IDAHO } ss 161189
 County of Caribou }

I hereby certify that this instrument was filed at the request of Alliance Title
 at 11:05 o'clock A m this 13 day of April, 2000 in my office and duly recorded official Records

Recorder, Edie Izatt

Michael J. Hurdley
 Signature

Deputy 2100

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Department of Water Resources
Eastern Region

PARCEL 2

A parcel of land located in Section 31, Township 7 South, Range 44 East, Boise Meridian, Caribou County, Idaho and further described as follows:

Beginning at the South quarter corner of said Section 31 located North 89° 28' 06" East 2644.02 feet from the Southwest corner of said Section;
Thence North 00° 59' 36" West 1287.24 feet to the center South 1/16th corner of said Section, the True Point of Beginning;
Thence North 00° 59' 36" West 604.89 feet to a point on the Southwesterly right of way line of the Railroad, said point being on a 1337.39 foot radius non-tangent curve concave to the Southwest whose center bears South 02° 21' 54" West;
Thence Southeasterly along said curve through a central angle of 24° 19' 11", a distance of 567.67 feet to a point of spiral curve, (chord bears South 75° 28' 31" East 563.42 feet);
Thence Southeasterly along said spiral curve, (chord bears South 61° 17' 53" East 145.01 feet);
Thence South 60° 18' 55" East 827.02 feet to a point on the South line of the N1/2 SE1/4;
Thence North 89° 20' 53" West 1380.69 feet to the True Point of Beginning.
Containing approximately 11.5 acres.

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PARCEL 3

APR 21 2000

Department of Water Resources
Eastern Region

A parcel of Land located in Sections 5, 6, 8, 9, 16 and 17 in Township 8 South, Range 44 East and Section 32, Township 7 South, Range 44 East, Caribou County, Idaho described as follows:

Beginning at the Northwest corner of said Section 6 located North 00° 03' 19" West 2643.23 feet from the West quarter corner of said Section 6;
 Thence North 89° 28' 06" East 1647.15 feet to the Northwest corner of Lot 3 of said Section 6, the True Point of Beginning;
 Thence North 89° 28' 06" East 996.87 feet to the South quarter corner of Section 31, Township 7 South, Range 44 East;
 Thence North 89° 48' 49" East 2644.90 feet to the Southeast corner of said Section 31;
 Thence North 01° 41' 11" West 239.70 feet along the West line of said Section 32 to a point on the Westerly right of way line of a Railroad;
 Thence South 48° 45' 25" East 362.05 feet along said Westerly right of way line to the Northerly boundary line of said Section 6;
 Thence South 48° 45' 25" East 461.27 feet along said Westerly right of way line;
 Thence South 43° 35' 16" East 1478.23 feet to the Southeast corner of Lot 4 of said Section 5;
 Thence South 00° 26' 12" West 1320.39 feet to the Center West 1/16th corner of said Section 5;
 Thence South 44° 54' 58" East 1859.59 feet to the Center South 1/16th corner of said Section 5;
 Thence South 26° 18' 00" East 1470.33 feet to the West East 1/64th corner on the South line of said Section 5;
 Thence North 89° 44' 14" East 1980.93 feet to the Northeast corner of said Section 8;
 Thence North 89° 50' 43" East 201.50 feet to a 5/8" rebar with cap set on the North line of said Section 9;
 Thence South 08° 52' 14" East 1011.68 feet to a 5/8" rebar with cap;
 Thence North 89° 50' 43" East 2290.00 feet to a point on the North - South Center line of said Section 9, said point being South 00° 01' 35" East 1000.00 feet from the North quarter corner of said Section 9;
 Thence South 00° 01' 35" East 1643.57 feet to the Center of said Section 9;
 Thence North 89° 49' 57" East 2109.83 feet to a 5/8" rebar with cap;
 Thence South 26° 20' 30" East 860.26 feet to a 5/8" rebar with cap;
 Thence South 89° 51' 30" West 95.81 feet to a 5/8" rebar with cap;
 Thence South 00° 02' 14" East 550.79 feet to a 5/8" rebar with cap;
 Thence North 89° 51' 30" East 55.00 feet to a 5/8" rebar with cap set a on 1358.81 foot radius non-tangent curve concave to the Northwest whose Center bears North 81° 12' 49" West;
 Thence Southwesterly along said curve through a central angle of 06° 04' 19", a distance of 144.00 feet to the point of tangency, (chord bears South 11° 49' 20" West 143.93 feet);
 Thence South 14° 51' 30" West 597.00 feet to a 5/8" rebar with cap set on a 1029.28 foot radius non-tangent curve whose Center bears South 84° 19' 48" East;
 Thence Southeasterly along said curve through a central angle of 34° 56' 48" a distance of 627.79 feet to a point on the South line of said Section 9 that is South 89° 53' 03" West 252.00 feet from the Southeast corner of said Section 9, (chord bears South 11° 48' 12" East 618.11 feet);
 Thence South 34° 19' 05" East 447.37 feet to a 5/8" rebar with cap on the East line of said Section 16 said point being South 00° 01' 35" East 370.00 feet from the Northeast corner of said Section 16;

APR 26 2001

Thence South 00° 02' 02" East 2267.13 feet to the East quarter corner of said Section 16;
Thence South 00° 02' 02" East 2640.74 feet to the Southeast corner of said Section 16;
Thence South 89° 47' 00" West 1321.77 feet to the East 1/16th corner of the South line of said Section 16;
Thence North 00° 02' 45" West 2642.10 feet to the Center East 1/16th corner of said Section 16;
Thence North 00° 02' 45" West 2638.05 feet to the East 1/16th corner on the North line of said Section 16;
Thence South 89° 53' 03" West 1322.87 feet to the South quarter corner of said Section 9;
Thence South 89° 53' 03" West 2640.56 feet to the Southwest corner of said Section 9;
Thence South 00° 07' 09" East 1320.40 feet to the North 1/16th corner on the East line of said Section 17;
Thence South 89° 47' 09" West 1320.81 feet to the Northeast 1/16th corner of said Section 17;
Thence North 00° 06' 07" West 1319.63 feet to the East 1/16th corner on the North line of said Section 17;
Thence South 89° 45' 09" West 1320.42 feet to the South quarter corner of said Section 8;
Thence North 00° 06' 04" West 2642.96 feet to the Center of said Section 8;
Thence North 00° 06' 04" West 1320.78 feet to the Center North 1/16th corner of said Section 8;
Thence South 89° 48' 23" West 1320.91 feet to the Northwest 1/16th corner of said Section 8;
Thence North 26° 38' 53" West 1475.78 feet to the West West 1/64th corner on the South line of said Section 5;
Thence South 89° 49' 11" West 660.16 feet to the Southwest corner of said Section 5;
Thence North 89° 51' 18" West 2640.76 feet to the South quarter corner of said Section 6;
Thence North 00° 22' 23" East 1322.93 feet to the Center South 1/16th corner of said Section 6;
Thence North 89° 48' 25" West 1322.04 feet to the Southeast corner of Lot 6 of said Section 6;
Thence North 00° 17' 48" East 1323.72 feet to the Southeast corner of Lot 5 of said Section 6;
Thence North 00° 26' 59" East 1319.07 feet to the Southwest corner of Lot 3 of said Section 6;
Thence North 00° 26' 59" East 1345.97 feet to the True Point of Beginning.
Containing 1,634.6 acres.

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Department of Water Resources
Eastern Region

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APR 26 2001

161189

PARCEL 4

Township 7 South, Range 43 East, Boise Meridian, Caribou County, Idaho
Section 19: W $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$

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MAY 8 - 2000

Department of Water Resources

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Department of Water Resources
Eastern Region

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APR 26 2001

RECEIVED

MAY 1 2000

20005744

3-1 Department of Water Resources

Power Bannock Counties - Wells Cargo Silica Mine

RECEIVED

APR 21 2000

Department of Water Resources
Eastern Region

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, **FMC Corporation**, a Delaware corporation, the Grantor, does hereby grant, bargain, sell and convey unto **Astaris Production LLC**, a Delaware limited liability company, the Grantee, whose address is 10300 Olive Boulevard, St. Louis, MO 63166, the following described real property, to-wit:

The property described in Exhibit A attached hereto and, by this reference, incorporated herein as if set forth in full, which property is located part in Power County and part in Bannock County, State of Idaho.

TOGETHER WITH all of Grantor's right, title and interest in and to mineral and oil and gas rights thereon and thereunder,

TOGETHER WITH all water rights appurtenant thereto, including but not limited to water right number 29-02255c,

TOGETHER WITH i) all other and singular tenements, hereditaments, appurtenances and improvements thereon or thereunto belonging, ii) all reversionary, underlying or other right, title and interest of Grantor in and to the rights-of-way of all public roads, streets, or ways, and of all railroads or easements, abutting upon said premises or any part thereof, and iii) all right, title and interest of Grantor in and to any and all lands lying beneath, or constituting the bed of any waterway or body of water, abutting upon said premises or any part thereof.

SUBJECT TO:

(i) existing building and zoning regulations, easements, rights-of-way, subdivision and deed restrictions and reservations, and all other matters of record similar to the foregoing;

(ii) matters which a survey or inspection of the premises would reveal;

(iii) the lien for local real property taxes for the current year which are not yet due and payable; and

(iv) unpatented mining claims and reservations or exceptions in patents or in Acts authorizing the issuance thereof.

TO HAVE AND TO HOLD the same, together with all rights and appurtenances to the same belonging, unto Grantee and its successors and assigns forever.

WARRANTY DEED - 1
MICROFILMED
APR 26 2001

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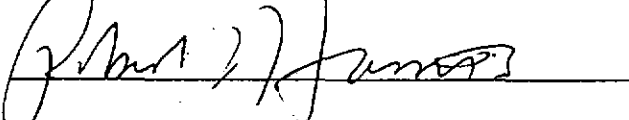
MAY 9 - 2000

Department of Water Resources

Grantor does hereby covenant that it and its successors shall and will WARRANT and DEFEND the title to said premises unto Grantee and its successors and assigns forever against the lawful claims of all persons claiming by, through or under Grantor but none other, excepting, however, the matters above set forth.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand effective as of the 12th day of April, 2000.

FMC CORPORATION



By: Robert I. Harries
Title: Vice President

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Department of Water Resources
Eastern Region

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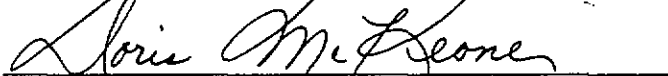
STATE OF PENNSYLVANIA)

: ss.

County of Philadelphia)

On this 11th day of April, 2000 before me, , a notary public in and for said State, personally appeared Robert I. Harries, known or identified to me to be the Vice President of FMC CORPORATION, the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

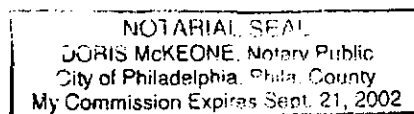
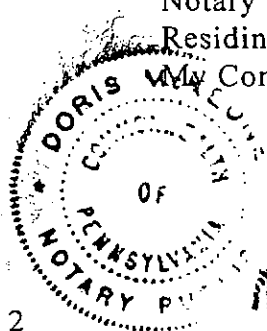
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Notary Public

Residing at: _____

My Commission Expires: _____



MICROFILMED
WARRANTY DEED - 2
APR 25 2001

NOTARY SEAL

3-3
EXHIBIT A

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20005744

MAY 8 - 2000

Department of Water Resources

A parcel of land located in the SE ¼ of the SW ¼ of Section 6, and in Section 7, and in U.S. Government Lots 1, 2 and 3 in Section 18, all in T 7 S, R 34 E, Boise Meridian, Power County, Idaho; and also located in the West ½ of Section 8, T 7 S, R 34 E, Boise Meridian, Bannock County, Idaho; said parcel being more particularly described as follows:

Section 6 - SE ¼ SW ¼ and;

Section 7 - All of Section 7 and;

Section 8 - NW ¼ SW ¼ NW ¼, S ½ S ½ NW ¼, N ½ SW ¼, NW ¼ SW ¼ SW ¼ and;

Section 18 - U.S. Government Lots 1, 2 and 3, All in T 7 S, R 34 E, Boise Meridian, Idaho.

Said parcel containing 919.14 Acres, more or less.

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Department of Water Resources
Eastern Region

174945

INSTRUMENT #	
TIME	1:44 pm
REQ. OF	Alliance
APR 13 2000	
POWER COUNTY AMY FALLS	
CHRISTINE STEINLICH	
BY	<i>[Signature]</i>
DEPUTY	ps 39

NO 20005744
RECORDED AT REQUEST OF
ALLIANCE TITLE & ESCROW
2000 APR 13 PM 12 04
OFFICIAL RECORD BOOK NO 757
BANNOCK COUNTY IDAHO
LARRY W GHAN RECORDER
FEE 900 DEPUTY \$

MICROFILMED

APR 26 2001

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 27-07058

Priority: December 18, 1975

Maximum Diversion Rate:

2.00 CFS

Maximum Diversion Volume:

24.3 AF

This is to certify, that FMC CORP
PO BOX 4111

POCATELLO ID 83201 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 18, 1975; and has submitted Proof of Beneficial Use on September 3, 1993. An examination indicates that the works have a diversion capacity of 5.140 cfs of water from a **GROUNDWATER** 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>
MINING	01/01 to 12/31	2.00 CFS	24.3 AF

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 31, Township 07S, Range 44E
SENE , Sec. 8, Township 08S, Range 44E
CARIBOU County

PLACE OF USE: MINING

TWN RGE SEC

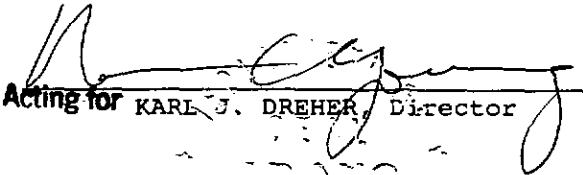
07S 44E 31	NENW	NWNW	SENW
	NESW	SESW	SWSE
08S 44E 5	SENW	NESW	NWSW
	SWSW	SESW	
6	NENE	NWNE	
8	NENE	NWNE	

CONDITIONS OF APPROVAL AND REMARKS

1. Mining use is for ore processing and dust abatement for the haul road.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license 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. Signed and sealed this 13TH day of

NOVEMBER, 1998.

Acting for  KARL J. DREHER, Director

MICROFILMED

NOV 24 1998

RECEIVED

SEP 25 1998

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 27-07058

Date of Priority: December 18, 1975

Maximum Diversion Rate: 2.00 CFS

Maximum Diversion Volume: 24.3 AF

Comes now FMC CORP
PO BOX 4111
POCATELLO ID 83201

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 27-07058, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
MINING	01/01 to 12/31	2.00 CFS	24.3 AF

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 31, Township 07S, Range 44E
~~SENE~~ , Sec. 8, Township 08S, Range 44E
SWNE CARIBOU County

PLACE OF USE: MINING

TWN RGE SEC

07S 44E 31	NENW	NWNW	SENE
	NESW	SESW	SWSE
08S 44E 5	SENE	NESW	NWSW
	SWSW	SESW	
6	NENE	NWNE	
8	NENE	NWNE	

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at SODA SPRINGS, ID., this 21 day of September, 1998.

MICROFILMED
NOV 24 1998

Gary R. Bush
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 27-07058

FOR DEPARTMENT USE ONLY

Preliminary check by gwk Fee = \$50.00 Received by BE # CD43862 Date 11.9.98

ACTION OF THE DEPARTMENT OF WATER RESOURCES

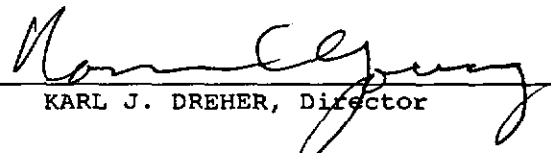
I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 27-07058 with the following;

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 shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Mining use is for ore processing and dust abatement of haul road.

Witness my hand this 13TH day of NOVEMBER, 1998.

Acting for


KARL J. DREHER, Director

MICROFILMED
NOV 24 1998

RECEIVED

RECEIVED

SEP 10 1993

OFFICE USE ONLY

Amt. of Fee \$ 100.00Date 9-7-93Receipt No. E019107Receipt by HCS

SEP 03 1993

Department of Water Resources
Eastern District OfficeSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form 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, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

- Pocatello: 208-236-8636 or
1. Permit No. 27-7058 Telephone No. Soda Springs: 208-547-2700
2. Name(s) of Permit Holder(s): FMC CORPORATION
3. Mailing Address: P.O. Box 4111, Pocatello, Idaho 83202
4. Source of Water: Groundwater

If **GROUNDWATER**, Well Driller's Name: FMC CORPORATION Date Drilled: August 1975

OPTIONAL:

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

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation _____ (No. of acres) Other Mining and Processing

6. Total rate and/or volume for which proof is submitted 0.60 cfs OR _____ acre/feet

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

Measuring device: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

OR

Flow Measurement Port: Required? ☐ Yes ☐ No Installed? ☒ Yes ☐ No

8. Fee Enclosed: \$ 100 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

A. R. Conroy, 547-2700

Name

Telephone No.

P.O. Box 668, 2275 Dry Valley Road, Soda Springs, Idaho 83276

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.

8/10/93
Date

A.R. Conroy
Signature (and title, if on behalf of a company or organization)

A.R. Conroy - Mine Manager

RECEIVED
OCT 18 1993

RECEIVED

NOV 23 1990

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof
of beneficial use for a water right permit

DW 2
For Office Use Only
\$15 FEE Received by HCJ
Date 11-26-90
Receipt # EO15480

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 27-7058

Name(s) of Permit Holder: FMC Corporation

Post Office Address: P. O. Box 4111, Pocatello, Idaho 83202

Telephone No. (208) 232-8200

Date Proof is Due: 1-1-91

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

From 1988 through August 1990 considerable work has been completed towards the development
of the permit holder's mine and water right, including drilling, casing, and screening a
test well for this permit, and drilling monitoring wells to check the test well draw down.

Costing \$ 2,612,200.00

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Permit holders mine and reclamation plan must be approved by the BIM and the Idaho
Department of Lands before the mining can begin. (See attached Bureau of Land Management
Scoping Statement)

FMC CORPORATION

Permit holder(s) request an extension to January 1, 19 94.
(1 yr. minimum)

x R. L. Mills
R.L. Mills, Mgr., Energy Dept.
*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

FEE: \$15.00

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to January 1, 1994.

Signed this 28th day of February, 19 91.

J. Glen Saylor
Chief, Water Allocation Bureau

RECEIVED
MAR 15 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received 11
Date 11-26-85
Receipt # 37320

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof
of beneficial use on a water right permit

FMC Corporation of P.O. Box 4111, Pocatello, ID 83202
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Approve the Public Water of the

State of Idaho No. 27-7058

RECEIVED
NOV 22 1985

That under the terms and conditions of said permit, work thereunder was required to be completed on or before

January 1, 19 86

Department of Water Resources

That he has heretofore performed the following work described under said permit: None
(This must be filled out! If no work has been completed put none.)

Costing \$ Zero

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:

Permit is granted for use in mining and processing of phosphate ore on Federal
and private mining leases held by FMC. Federal approval of our proposed mining
and reclamation plan is still pending. Mining cannot begin until this approval is
granted.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations

under said permit to January, 19 91
(1 yr. minimum,
5 yrs. maximum)

✓ FH Herbert / JTB 11/18/85
Resident Manager (Signature)* FMC Corporation
*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

FEE: \$15.00

MICROFILMED

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within
which to submit proof of beneficial use is extended to January 1, 1991.

Signed this 6th day of March, 19 86

J. Glen Saxton
Chief, Operations Bureau

RECEIVED

AUG 28 1980

Identification No. 27-7058

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME

RECEIVED

To provide additional time in which to submit
proof of beneficial use on a water right permit

JUL 9 1980

Department of Water Resources
Eastern District Office

FMC Corporation of P.O. Box 4111, Pocatello, ID 83201
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public
Waters of the State of Idaho No. 27-7058.

That under the terms and conditions of said permit, work thereunder was required to be completed on or
before January, 19 81.

That he has heretofore performed the following work described under said permit: None

Costing \$ Zero

That he is unable to complete the remainder of the work within the required time for the following
reasons, to-wit: Permit is granted for use in the mining and processing of phosphate
ore on Federal and private mining leases held by FMC. Federal approval of our proposed
mining and reclamation plan is still pending. Mining cannot begin until this approval
is granted.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of
obligations under said permit to January, 19 86.

J. H. Herbert
Resident Manager (Signature)*
FMC Corporation

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time
within which to submit the statement of beneficial use is extended to January 1, 1986.

Signed this 3rd day of September, 19 80.

L. Glen Saxton
Chief, Operations Bureau

* IF OTHER THAN HOLDER, Power of Attorney must be supplied.

received 8/28/80 #16000 + \$15.00

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 27-7058

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

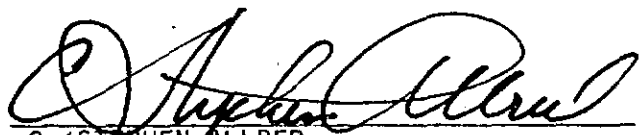
WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director

MICROFILMED

Identification No. 27 7058

Application No. _____

RECEIVED
DEC 8 1975

Department of Water Resources
Eastern District Office

APPROVED

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant FMC Corporation Phone: 233-1911
post office address 609 West Maple - Pocatello, Idaho 83201
2. Source of water supply Subterranean which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 8 Township 8S
Range 44E B.M. Caribou County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 2 CFS for Mining and processing purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 2 cubic feet per second and/or
b. 1432 acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Deep well turbine pump and pipeline to point of use located in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, T.8S., R.44E.
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 8 inches; proposed depth of well is 200 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 35,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 8 Township 8S.
Range 44E B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____
(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____
(5) If water is to be used for other purposes describe: Mining and processing of phosphate ore.

RECEIVED
DEC 8 1975

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. _____

27-7057

9. a. Who owns the property at the point of diversion Paul Allen

b. Who owns the land to be irrigated or place of use Paul Allen

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing FMC holds a mining lease from Paul Allen

which conveys the surface and mineral rights necessary

for mining and processing all minerals other than

oil and gas. FMC holds the surface and mineral rights

10. Remarks necessary to mine and process phosphate ores through
Federal Phosphate Lease I-014184.

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

Range 44 E.

[illegible]

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.

ATTEST:

Assistant Secretary

W. A. McMinn
(Applicant)
W. A. McMinn
Vice President

Proposed Priority 12-18-1975

Received by me Date 12-18-75 Time 10:40 a.

Preliminary check by me Fee \$ 35.00

Received by me Date 12-18-75 # 15537

Publication prepared by me Date 12-19-75

Published in The Parisian City Sheet

Publication dates Dec. 26, '75 + Jan 2, '76

Publication approved CW Date 1-05-76

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by de

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

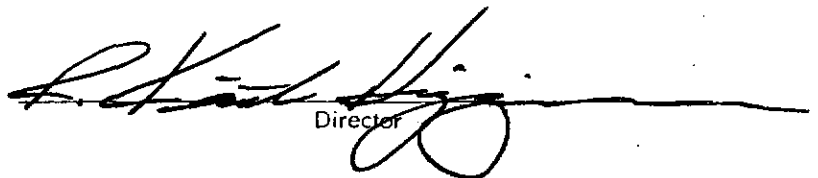
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 27-7058, and said application is hereby APPROVED.

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 January 1, 1981.
- c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 22 day of January, 19 76.


Director

RECEIVED

JAN 5 1976

Affidavit of Publication

County of Caribou }
State of Idaho } ss.

Ora Lansberry

being first duly sworn on his
oath, states:

That he is Publisher
of the Caribou County Sun, a
newspaper of general circula-
tion in Caribou County, Idaho,
published weekly at Soda
Springs in said County, that said
newspaper has been pub-
lished in said County uninterru-
ptedly and continuously for
over seventy-eight consecutive
weeks, prior to the first publi-
cation of the annexed notice or
advertisement;

That the annexed notice was
published as per clipping at-
tached 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

25th day of

December, 1975.

The date of the last publication

being the 1st day of

January, 1976

Ora Lansberry

Subscribed and sworn to be-

fore me this 2nd day

of January, 1976

Elaine S. Johnson

Notary Public, residing
at Soda Springs, Idaho

(SEAL)

My Commission expires the

1st day of November

1978.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
FMC Corporation, Pocatello,
Idaho has on 12-18-75 submitted
Application No. 27-7058 for a
permit to appropriate 2.00 cubic
feet per second of water from
a ground-water source by
means of well, pump and pipe-
line within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec.
8, T. 8S, R. 44E, B.M., Caribou
County; to be used from Jan. 1
to Dec. 31 for mining and pro-
cessing purposes within the
SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, T. 8S, R. 44E,
B.M.

If issued, this permit will be
subject to all prior water
rights. Protests against the
granting of the permit must be
filed with the Idaho Depart-
ment of Water Resources, 1515
Lincoln Road, Idaho Falls,
Idaho, 83401 on or before Jan-
uary 12, 1976.

R. KEITH HIGGINSON
Director

Published in the Caribou Coun-
ty Sun, Soda Springs, Idaho on
December 25, 1975 and January
1, 1976. *ed*



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

April 12, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ASTARIS PRODUCTION LLC
10300 OLIVE BLVD
ST LOUIS MO 63166

RE: Change of Ownership for Water Right 27-7058

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

for Kari Lynn Dawson
for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED
APR 26 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

May 12, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LINDA B JONES
HOLLAND & HART LLP
PO BOX 2527
BOISE ID 83701-2527

RECEIVED

MAY 18 2001

Department of Water Resources

RE: OWNERSHIP CHANGE FOR FMC-ASTARIS

Dear Ms. Jones:

Our office received your letter of May 8, 2000 and have done the following:

Claims A27-02050 and A27-02053 have been processed and are in the name of NuWest DBA Agrium and Astaris Production LLC. Enclosed are copies for your files.

Claim A29-02255C has been processed and is in the name of Astaris Production LLC. A copy is enclosed for your files.

Your letter has been forwarded to our state office in Boise for 27-02162, 27-04063, 27-07057 and 27-07058. Please contact the Allocations Bureau of IDWR at (208) 327-7900 regarding these rights.

Sincerely,

Jennifer Crabtree
Jennifer Crabtree
Technical Records Specialist

Enclosures

cc: Gary Resh, Astaris Production LLC
Rob Hartman, Astaris Idaho LLC

MICROFILMED

APR 26 2001

DELOB DC 5/10/00

HOLLAND & HART LLP
ATTORNEYS AT LAW

DENVER • ASPEN
BOULDER • COLORADO SPRINGS
DENVER TECH CENTER
BILLINGS • BOISE
CHEYENNE • JACKSON HOLE
SALT LAKE CITY

SUITE 1400
101 SOUTH CAPITOL BOULEVARD
BOISE, IDAHO 83702-7714
MAILING ADDRESS
P.O. BOX 2527
BOISE, IDAHO 83701-2527

Department of Water Resources
Eastern Region
TELEPHONE (208) 342-5006
FACSIMILE (208) 343-8869

LINDA B. JONES
ljones@hollandhart.com

RECEIVED
MAY 10 2000

May 8, 2000

Dave Carlson
Jennifer Crabtree
Idaho Department of Water Resources
900 N. Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718

RECEIVED

MAY 18 2000

Department of Water Resources

Re: FMC/Astaris Water Rights Change in Ownership

Dear Dave and Jennifer:

Your letter dated May 2, 2000, indicating the changes in ownership made to the Department's records, does not reflect accurately the change in ownership reported by the Notice of Change in Ownership submitted by Astaris Production LLC. The following paragraphs describe how the water rights ownership should be reflected in the Department's and SRBA's files:

1. A27-02050 and A27-02053. You indicate that these are owned by FMC, NuWest DBA Agrium, and Astaris Production LLC. This is not correct. In 1998, FMC and NuWest purchased undivided interests in the Holmgren Anderson ranch and these water rights. FMC owned an undivided 23% interest in these rights, and Agrium owns the other 77%. A Notice of Change in Ownership was filed at that time, and we received confirmation from the Department of ownership in these percentages. Astaris Production LLC has now acquired all of FMC's interest in these water rights (i.e., FMC's undivided 23% interest) and the underlying property. Accordingly, as reflected in the Notice filed with you on April 21, 2000, and in the Special Warranty Deed submitted with the Notice, **these two water rights are owned 77% by Agrium and 23% by Astaris Production LLC.** FMC has no further interest in these water rights. Please correct your records to accurately reflect the parties' recent transaction.

2. Similarly, 27-02162^{p2} was owned 50% by FMC and 50% by Agrium. Astaris Production now has purchased FMC's 50% undivided interest. Accordingly, **this water right is now owned 50% by Agrium and 50% by Astaris Production LLC.** FMC has no further ownership interest in this water right. Please correct your records (and the records in the SRBA court and Boise office) to accurately reflect the parties' recent transaction.

MICROFILMED

APR 26 2001

Dave Carlson
Jennifer Crabtree
May 8, 2000
Page 2

3. FMC owned, and Astaris Production now owns, 100% of water right A29-02255C. Please correct your records to reflect ownership **100% by Astaris Production LLC.** ✓

4. FMC owned, and Astaris Production now owns, 100% of 27-04063 (partially decreed) and 27-07057 and 27-07058 (licensed). You indicated that you had sent the Notice to Boise for processing. Please forward a copy of this letter to the appropriate person in Boise, so that the records for these water rights/licenses accurately reflect 100% ownership in Astaris Production LLC.

The changes made to the other four water rights, from FMC to Astaris Idaho LLC, are correct and we will add your new profiles in our files.

Please give me a call if you require further clarification.

Sincerely,

HOLLAND & HART LLP



Linda B. Jones

LBJ:cd

Enclosures

cc: Miguel Ugarte
Patrick Hyland
Gary Resh
Rob Hartman
(w/encls.)

2659386_1.DOC

MICROFILMED

APR 26 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 • (208) 525-7161 • Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 2, 2000

RECEIVED

MAY 8 - 2000

Department of Water Resources

LINDA B JONES
HOLLAND & HART LLP
PO BOX 2527
BOISE ID 83701-2527

RE: WATER RIGHT OWNERSHIP CHANGE FOR FMC - ASTARIS

Dear Ms. Jones:

Our office received the above referenced request on April 21, 2000 and have processed it as follows:

Adjudication claims A29-02301, A29-02255E, A29-02284, and A29-11342 have been processed and are in the name of **Astaris Idaho LLC**. Enclosed are copies for your files.

Adjudication claims A27-02050 and A27-02053 have been processed and are in the name of **FMC, NuWest DBA Agrium, and Astaris Production LLC**. Enclosed are copies for your files.

Adjudication claim A29-02255C has been processed and is in the name of **FMC and Astaris Production LLC**. Enclosed is a copy for your files.

27-04063 and 27-02162 are domestic and stockwater rights that have been partially decreed by the Snake River Basin Adjudication court. Our state headquarters in Boise, Idaho processes these documents. I will forward a copy of your request to them.

27-07057 and 27-07058 are licensed water rights (not adjudication claims) and are also processed at our state office. Again, I will forward your request to them.

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APR 26 2001

~ Celebrating Our Centennial Year of Service to Idaho 1895-1995 ~

If you have questions about the domestic and stockwater rights or the licensed water rights, please contact IDWR, Allocations Bureau in Boise, at (208) 327-7900. If you have questions about the other claims, please contact Senior Water Right Agent Dave Carslon in our office at (208) 525-7161.

Sincerely,



Jennifer Crabtree

Technical Records Specialist

Enclosures

cc: Gary Resh, Astaris Production LLC
Rob Hartman, Astaris Idaho LLC

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APR 26 2001

DELOG-DC
4/22/00

HOLLAND & HART LLP
ATTORNEYS AT LAW

DENVER • ASPEN
BOULDER • COLORADO SPRINGS
DENVER TECH CENTER
BILLINGS • BOISE
CHEYENNE • JACKSON HOLE
SALT LAKE CITY

SUITE 1400
101 SOUTH CAPITOL BOULEVARD
BOISE, IDAHO 83702-7714
MAILING ADDRESS
P.O. BOX 2527
BOISE, IDAHO 83701-2527

TELEPHONE (208) 342-5000
FACSIMILE (208) 343-8869

LINDA B. JONES
ljones@hollandhart.com

RECEIVED

MAY 8 - 2000

Department of Water Resources

Ms. Jennifer Crabtree
Idaho Department of Water Resources
Eastern Region
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

RECEIVED

APR 21 2000

Department of Water Resources
Eastern Region

Re: Change in Ownership of Water Rights

Dear Ms. Crabtree:

Enclosed on behalf of Astaris Production LLC and Astaris Idaho LLC are executed Notices of Change in Water Right Ownership forms and copies of the recorded Special Warranty Deeds conveying title to the respective companies. These transfers are part of a joint venture between FMC Corporation and Solutia, Inc., pursuant to which FMC has transferred its phosphate production assets in Southeastern Idaho to the two Astaris companies. Astaris Production LLC now owns FMC's Dry Valley Mine and Silica Mine properties, and Astaris Idaho LLC now owns FMC's Pocatello phosphate processing plant.

The Pocatello plant and Silica Mine properties are located in Power and Bannock Counties. The Silica Mine water right (A29-02255c) was recently transferred to the Silica Mine from property owned by FMC and located near the Pocatello Plant. We refer you to that recent file for more details and a map of the place of diversion and use of this water right. The Pocatello plant uses most of its water for industrial and not irrigation purposes. We attach a recent profile of these water rights. A recent survey of the Pocatello plant property is of record in Power and Bannock Counties (Instrument No. 20003575, Bannock County, and Instrument No. 174692 for Power County, seven sheets). We will send you copies of the surveys at your request.

We filed with the Department about a year ago a map of the Dry Valley Mine irrigated property (located in Caribou County) and points of diversion and use. This was in connection with the acquisition of certain property by FMC and Agrium from the Holmgren-Anderson partnership. The points of diversion and

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APR 26 2001

Ms. Jennifer Crabtree
April 19, 2000
Page 2

use of those water rights remain the same. Water rights not used for irrigation or stockwater (Nos. 27-07057 and 27-07058) are used for mining purposes. A survey of the Dry Valley Mine property is of record in Caribou County (Instrument No. 161069 - 5 sheets). The map in your file showing the Holmgren/Anderson water rights provides more information about place of diversion and use of these water rights than would the survey. We will provide you with a copy of the survey at your request. We attach copies of recent profiles of these water rights.

Please let me know if you require further information in order to transfer these water rights of record with the Department and the SRBA Court.

Sincerely,

HOLLAND & HART LLP


Linda B. Jones

LBJ:cd

Enclosures

cc: Gary Resh
Rob Hartman
Cedric Jones
Mike Ugarte
Steve Drapekin
Marissa Byram
Julie Stenger
(all w/encls.)

2652569_1.DOC

RECEIVED

APR 21 2000

Department of Water Resources
Eastern Region

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APR 26 2001



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

November 16, 1998

PHILIP E. BATT
GOVERNOR

FMC CORP
PO BOX 4111
POCATELLO ID 83201

KARL J. DREHER
DIRECTOR

RE: WATER RIGHTS 27-07057/27-07058

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed licenses confirming that water rights have been established in accordance with the permits referenced above. The license are **preliminary orders** issued by the Department pursuant to section 67-5243, Idaho Code. **They can and will become final orders 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.

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NOV 24 1998

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

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2
NOV 24 1998

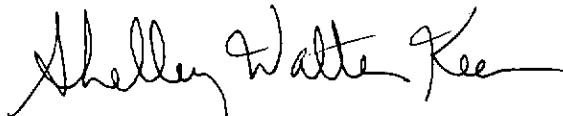
action is located.

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.

For your records, I have also enclosed copies of your Applications for Amendment of Permit, which were approved.

If you have questions, please contact me at (208) 327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name and title.

Shelley W. Keen
Water Rights Supervisor

SWK:klt
Enclosures

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NOV 24 1998

CERTIFICATE OF MAILING

I hereby certify that on the 16th day of November, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDERS (Approved Licenses) to the person(s) listed below:

Water Rights 27-07057/27-07058

FMC CORP
PO BOX 4111
POCATELLO ID 83201


Kari Lynn Townsend
Secretary

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NOV 24 1998



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 16, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Scott Lusty
FMC Corp.
PO Box 668
Soda Springs, ID 83276

RE: Permit Nos. 27-07057 and 27-07058

Dear Mr. Lusty:

The Department is in the process of reviewing Permits 27-07057 and 27-07058 for licensing.

The rate of diversion permitted under Permit 27-07058 was 2.00 cfs. The examination fee paid for this permit (\$100.00) limits the rate to 1.00 cfs. The examiner calculated a system capacity of 5.14 cfs from the two wells used under this permit. If you want the water right license to reflect the 2.00 cfs as permitted, you must submit the additional examination fee of \$25.00 required for a diversion of 2.00 cfs, plus a late payment penalty of \$25.00, within 30 days.

Further, both permits (27-07057 and 27-07058) must be amended before water right licenses can be issued. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the point of diversion and place of use developed are in locations other than what was described on Permit No. 27-07058. The place of use is in a location other than what was described on Permit 27-07057.

The enclosed Application for Amendment forms depict the point of diversion and place of use and other information as they will appear on the licenses when they are issued. Please review the amendment forms carefully. If you concur with the information presented, please sign the forms and return them with the \$50.00 filing fee (for each amendment) within 30 days.

If you have any questions, please contact me as soon as possible at (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

MICROFILMED

NOV 24 1998

MEMORANDUM

TO: Files 27-07057 and 27-07058

FROM: Sharla

DATE: September 15, 1998

RE: Recommendation Adjustment(s)

The places of use under both permits have been changed to encompass the area described in the "Dry Valley Location Map Figure 2" as the mine pit and haul road. The tanks are used for dust abatement on the haul road, which follows the same general path as the pipeline identified on the map attached with the application when 27-07057 was filed.

The adjustments to licensing recommendations for the above referenced permits are as follows:

27-07058:

C. DIVERSION AND DELIVERY SYSTEM

2. Point(s) of Diversion:

T7S, R44E, S31 - NESW

T8S, R44E, S8 - SENE

There is additional capacity from the well in NESW, S31 that can be utilized under 27-07058; thus this point of diversion has been added.

Exam Date: March 30, 1995

Examiner: Don Simpkins

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NOV 24 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 27-07058

DATE 1/21/97

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>NO</u>
SOURCE	Change <u>—</u>	OK <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>yes</u>
			Amendment required <u>yes</u>

Does map agree with written description? — yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate	<u>2.0</u> cfs
Fee limit	<u>1.0</u> cfs <u>\$10000</u>
Measured	<u>—</u> cfs
Theoretical	<u>1.03</u> cfs

add'l fee

2.00

Recommended Total Div Rate 1.03 cfs

ANNUAL VOLUME/
NATURE OF USES —

Use

Mining

Volume Calculation

24.3 af

af

af

af

af

SUBTOTAL

af

*engineers supplied yearly
usage figures from this
well & well under 7057*

Flow rate 1.03 cfs X 365 days X 1.98 = 744.4 af

Total volume recommended 24.3 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

are proc. & dust abatement
on haul road

CONDITIONS — Watermaster Control WD# —

— GW Measurement/Measuring Device

— Overlap

— Use-specific conditions

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed NA
Adjustment Memo rate

1st Amend Letter P37, P38
2nd Amend Letter P47

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

MAR 08 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 27-07058

1. Owner: FMC CORPORATION

Phone No. (208) 233-1911

Current Address: 609 WEST MAPLE, POCA TELLO, ID 83201

2. Accompanied by: MARK A. KRALL

EXAM DATE: 5/31/95

Box 668

Address: 2275 DAY VALLEY RD, SODA SPRINGS, ID. 83276

Phone No. (208) 547-2714

FAX (208) 547-2732

Relationship to Permit Holder: CHIEF MINING ENGINEER

3. Source: GROUNDWATER

tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 27-02076, 27-02057

2. Other water rights with the same point of diversion: N/A

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
			SE	NE	8	8S	44E	CARIBOU	U.S.G.S. TOPO MAP

2. Place(s) of Use:

Indicate Method of Determination Supplied by Engineers

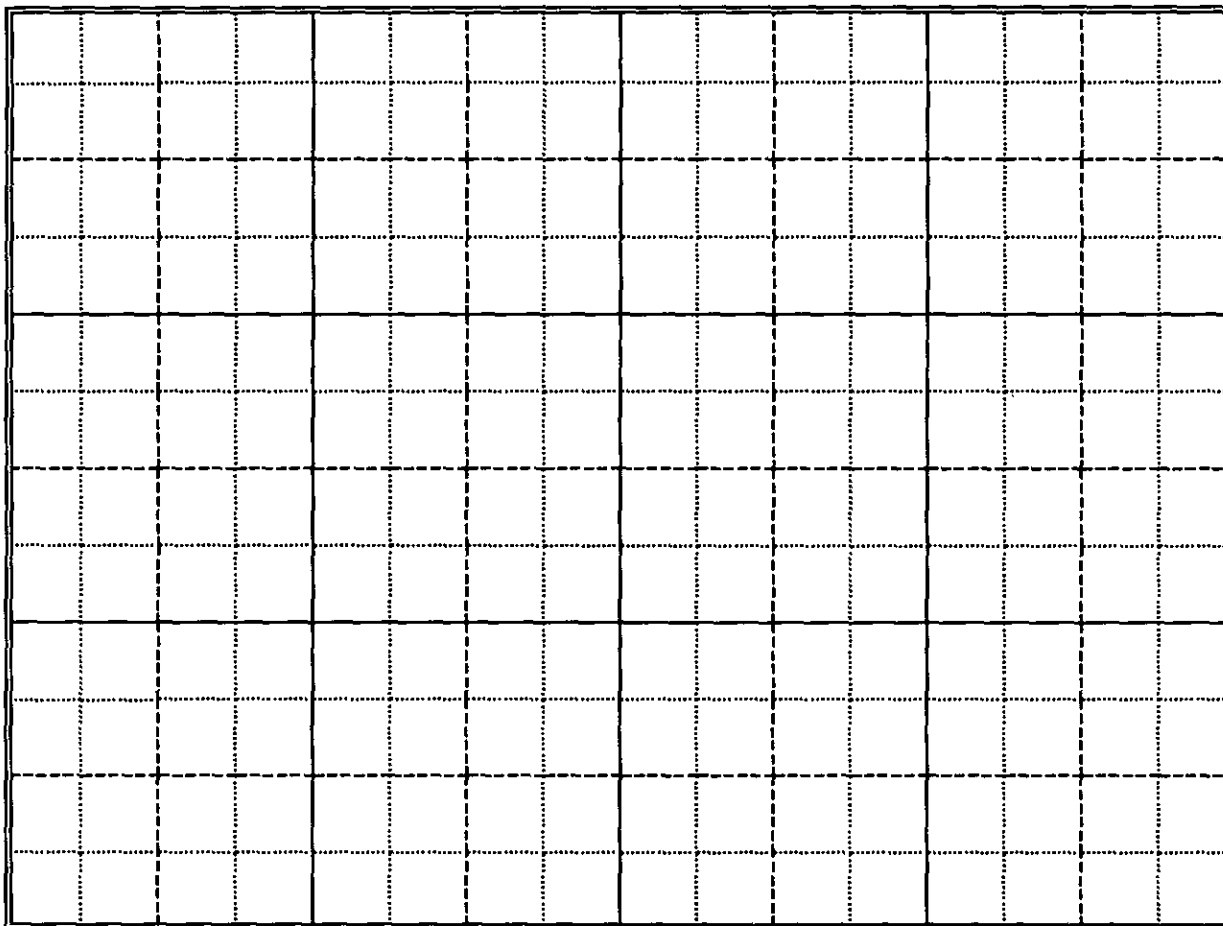
TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	44E	31					X	X		X	X			X			X		
8S	44E	5								X	X	X	X	X					
		6	X	X															
		8	X	X															

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

SEE PHOTOS + MAP



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
#58	BURKLEY	25	652AM8	SUBVERSIBLE	4"

*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

2. Measurements:

N/A

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NOV 24 1998

E. NARRATIVE/REMARKS/COMMENTS

SEE ATTACHMENTS

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

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NOV 24 1998

F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

$$Q = \frac{1.03}{102} \text{ CFS}$$

Q IS LIMITED BY PUMP SIZE.

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:

USAGE SUPPLIED BY ENGINEERING

$$\frac{7,920,000 \text{ GLS USED/YR}}{325,850 \text{ GLS/AF}} = 24.3 \text{ AFA}$$

$$\begin{aligned} & \frac{7,920,000 \text{ GLS/YR}}{659,197.4 \text{ GLS/DAY}} = 12.0 \text{ DAYS} \\ & \text{PUMP} \\ & \text{TO SUPPLY} \\ & \text{NEED AT} \\ & \text{24 HRS USAGE} \\ & \text{PER DAY.} \end{aligned}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs) ^{KW}	Annual Volume V (afa)
	From	To		
<u>MINING</u>	<u>1/1</u>	<u>12/31</u>	<u>102 1.03</u>	<u>24.3</u>
Totals:			<u>102 ^{KW} CFS</u> <u>1.03</u>	<u>24.3 AFA</u>

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

Field Examiner's Name SIMPSON Date 1/18/96

Reviewer [Signature] Date 2-28-96

SEAL

MICROFILMED

NOV 24 1998

E. NARRATIVE

PERMIT #27-07058 IS FOR THE APPROPRIATION OF WATER FOR USE IN MINING AND PROCESSING OF PHOSPHATE ORE.

WATER IS PUMPED BY A SUBMERSIBLE ~~20~~⁵ HP PUMP VIA A 4" PIPELINE DOWN HILL TO A STORAGE POND AND THEN TO THE SHOP / OFFICES BUILDING. THE OFFICE AND SHOP USE WATER FOR CLEANING EQUIPMENT AND DOMESTIC USE (SYSTEM PRESSURE AT SHOP 73 PSI). WATER SENT TO THE STORAGE POND (APPROXIMATELY .7 AF OR 30,500 CU FT) IS REPUMPED OUT TO TANKER TRUCKS WHERE IT IS USED MAINLY FOR DUST ABATEMENT.

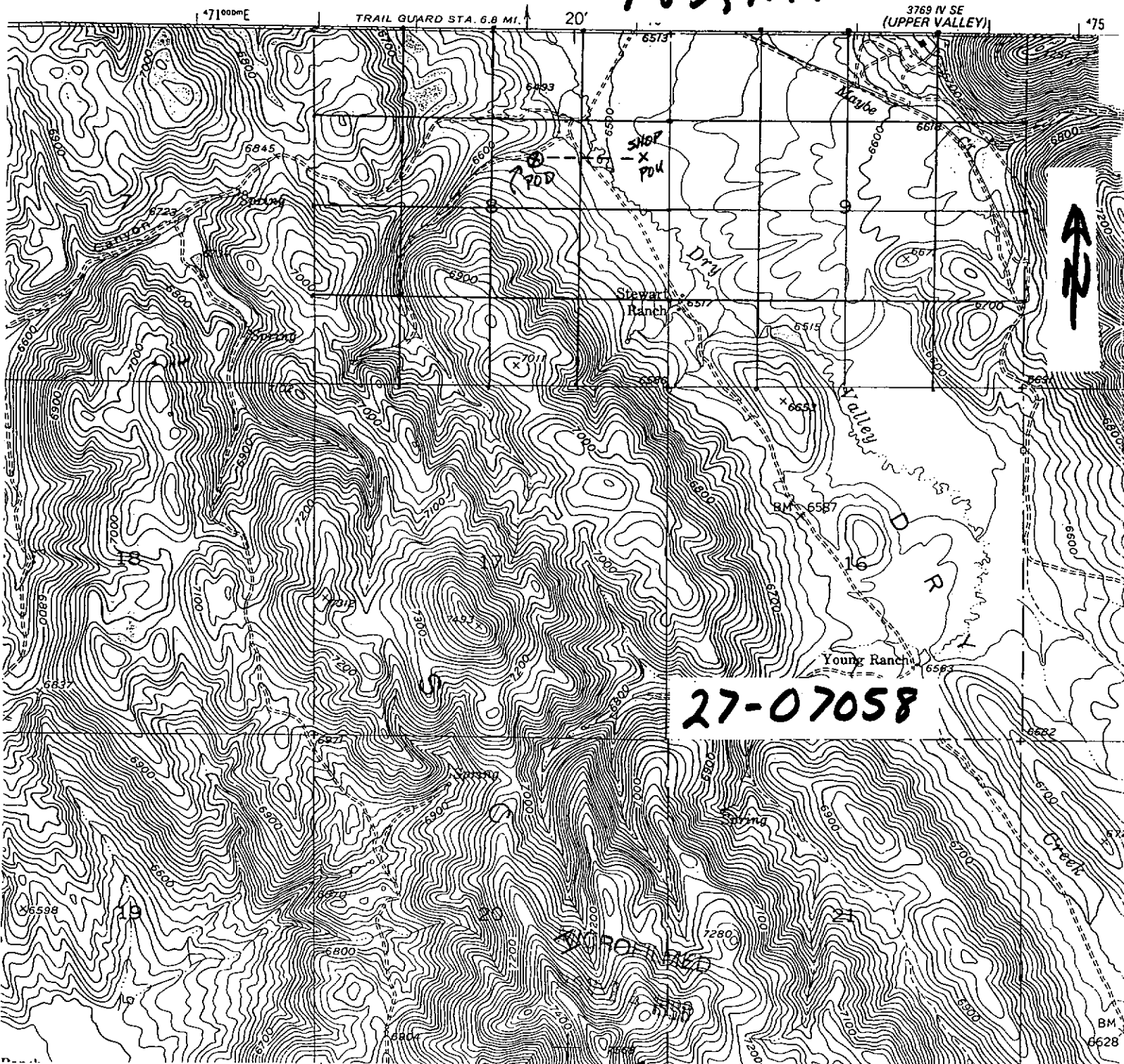
MICROFILMED
NOV 24 1998

27-07058

BB-48

D STATES
OF THE INTERIOR
CAL SURVEY

T85, R44E



THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp) (8.814) (Eff)] \div [Lift + (psi \times 2.308)]$$

$$Hp = \text{Horsepower} = \underline{25} \quad 6530 \text{ W.}$$

$$Eff = \text{Efficiency} = \underline{.7} \quad (\text{Usually } 70\%)$$

$$\text{Lift: (Static Level + Assumed Draw down)}$$

$$\text{Static Water Level} = \underline{140} \text{ ft. } \underline{6390 \text{ W.}}$$

$$\text{Assumed Draw down} = + \underline{10} \text{ ft. } \underline{140'}$$

$$\text{Lift} = \underline{150}$$

OR

$$\text{Measured Dynamic Water Level} = \underline{\hspace{2cm}} \text{ ft.}$$

$$psi = \text{Operating Pressure} = \underline{\text{OPEN DISC.}} \text{ psi}$$

TO POND

$$Q_{cfs} = \left[\frac{25}{Hp} \times 8.814 \times \frac{.7}{Eff} \right] \div \left[\frac{150}{Lift} + \left(\frac{0}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\underline{154.245} \right] \div \left[\underline{150.0} \right]$$

$$Q_{cfs} = \frac{\underline{1.02} \text{ cfs}}{1.03 \text{ cfs}} \quad \text{Kaw}$$

MICROFILMED

NOV 24 1998

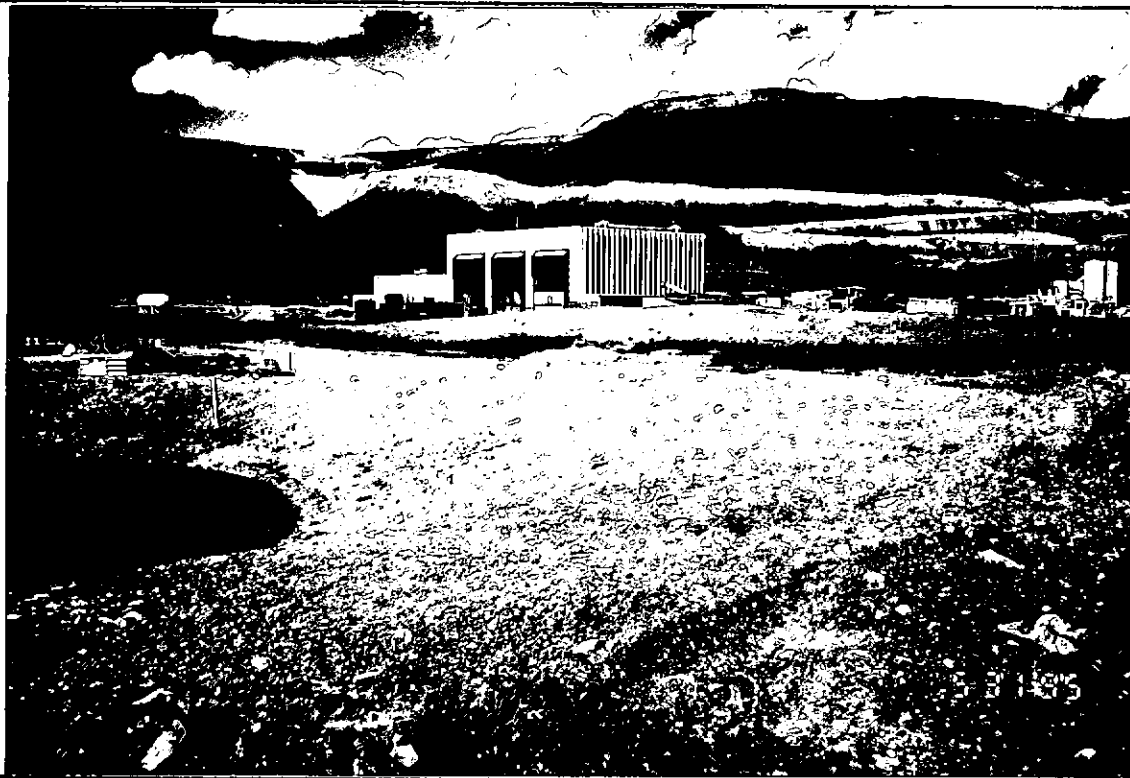
PERMIT NO. 27-07058

FMC
MINING

3513

VIEW OF
MAIN SHOP
DRY VALLEY

PLACE OF
USE



STORAGE
POND
WATER
PUMPED
TO TANK
TRUCKS FOR
DUST
SUPPRESSION



MICROFILMED

NOV 24 1998

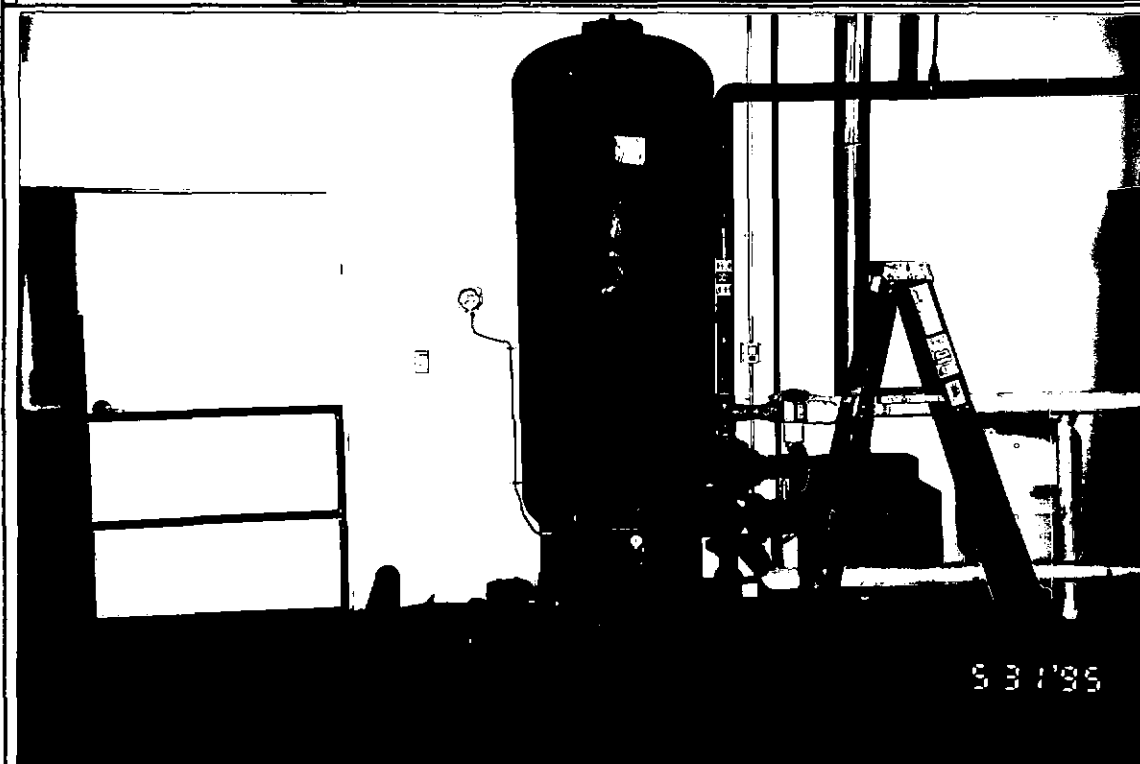
27-07058

FMC
MINING

2 of 3



VALVING
CONTROLS
FLOW METERS
IN PUMP
HOUSE NEAR
WELL



DOMESTIC
+ SHOP
PRESSURE
TANK ON
MAIN FLOOR
OF SHOP

53195

MICROFILMED

NOV 24 1998

27-07058

FHC
MINING

15/3

DISTANCE
VIEW OF
POINT OF
DIVERSION



POD
WELL
+ CONTROL
PANEL



MICROFILMED
NOV 24 1998

27-07058

September 17, 1993

FMC CORP.
P.O. BOX 4111
POCATELLO ID 83201

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 27-07058

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,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECEIVED

OCT 18 1993

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 27-07058 Reviewed by Klg Date 9/13/93

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

mining & processing
Correct Uses? yes

SOURCE OF WATER

 Surface water source
✓ Ground water source

8/75 NA Drilling permit required?
 Copy in the file? Drilling Permit No.
 Amount paid for permit Correct?
 Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
100 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
yes Installed?
NA Waiver requested?

PRIORITY CALCULATION

Date proof received NA
Date proof due -
No. of days late =
Priority Date +
New Priority Date

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address

Proof Made 9/13/93 9/17/93

LOUIS F. RACINE, JR.
WILLIAM D. OLSON
W. MARCUS W. NYE
GARY L. COOPER
RANDALL C. BUDGE
JOHN A. BAILEY, JR.
JOHN R. GOODELL*
JOHN B. INGELSTROM
DANIEL C. GREEN
REED W. LARSEN
BRENT O. ROCHE
FRED J. LEWIS
KIRK B. HADLEY
MITCHELL W. BROWN
ERIC S. HUNN
DAVID E. ALEXANDER

*ALSO MEMBER IL & WY BARS

LAW OFFICES OF
RACINE, OLSON, NYE, COOPER & BUDGE
CHARTERED
CENTER PLAZA-CORNER FIRST & CENTER
POST OFFICE BOX 1391
POCATELLO, IDAHO 83204-1391

TELEPHONE
AREA CODE 208
232-6101

FAX
208-232-6109

September 2, 1993

RECEIVED

SEP 03 1993

Department of Water Resources
Eastern District Office

Idaho Department of Water Resources
Eastern Division
900 N. Skyline
Idaho Falls, Idaho 83402

RE: FMC Permit Nos. 27-7057, 27-7058

Dear Sir:

Enclosed please find your Form 217 "Proof of Beneficial Use" for Permit Nos. 27-7057 and 27-7058 held by FMC Corporation. Also enclosed is our check in the amount of \$225 for filing fees (27-7057: \$125, 27-7058: \$100).

We would appreciate it if a field examination could be scheduled as soon as possible so that licenses might be issued on these permits. Please contact A.R. Conroy at 547-2700, 2275 Dry Valley Road, Soda Springs, Idaho 83276, to arrange for the examination.

Additionally, please be advised that the current points of use differ from those claimed in the original permits. Production from the well pertaining to Permit No. 27-7057 is being applied to beneficial use at the well site in the NE1/4 SW1/4 of Section 31, Township 7 South, Range 44 East, B.M. Production from the well evidenced by Permit No. 27-7058 will be applied to beneficial use in the NE1/4 NE1/4 of Section 8, Township 8 South, Range 44 East, B.M. The permits should be amended accordingly.

Please contact me if you have any questions.

Sincerely,

Randy Budge
RANDALL C. BUDGE

RCB:rr

Enclosures

cc: A.R. Conroy (w/encls.)
R.L. Mills (w/encls.)

RECEIVED
OCT 18 1993

March 1, 1991

FMC CORPORATION
P O BOX 4111
POCATELLO ID 83202

Dear Permit Holder:

Re: Permit Nos. 27-7057 and 27-7057

Enclosed is a copy of each of the approved requests for extension of time. The time within which to submit proof of beneficial use is extended to January 1, 1994.

Note that the department has granted these extensions based on delay by governmental agencies. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

c: Randall C. Budge

MAILED
MAR 15 1991

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 27-7058 Reviewed by [Signature] Date 2-28-91

BASIC INFORMATION

Y Date stamp received
Y Extension received timely (not too early not too late)
Y Fee received and receipted
Y Name and signature same as permit
N Address change

BASIS FOR EXTENSION REQUEST

_____ Has adequate work been completed to demonstrate due diligence?
 _____ Has the cost incurred been adequate to demonstrate an intent to complete the project?
 _____ Has the permit been involved in litigation?
 a. Swan Falls _____ Dismissed from Swan Falls _____
 Other _____ Identify _____
 b. Is supporting documentation needed to complete the file? _____
 Requested _____
 c. Calculate the period of delay
 Date litigation completed _____
 Date litigation began _____
 Total period of delay = _____
 Present proof due date + _____
 NEW PROOF DUE DATE = _____

Y Is delay by a government agency?
 Is supporting documentation needed to complete the file? _____
 Requested? _____

ACTION TAKEN - *Recommend approval based on delay by gov. agencies until 1-1-94*

_____ Reinstate Date extention received _____ = _____
 Proof due date _____ = _____
 No. of days late _____ = _____
 Priority date _____ = + _____
 ADJUSTED PRIORITY DATE _____ = _____

DATE ENTRY

[Signature] Change proof due date _____ Address change _____
 _____ Priority date change _____

LOUIS F. RACINE, JR.
WILLIAM D. OLSON
W. MARCUS W. NYE
GARY L. COOPER
RANDALL C. BUDGE
JOHN A. BAILEY, JR.
JOHN R. GOODELL*
JOHN B. INGELSTROM
DANIEL C. GREEN
REED W. LARSEN
CARY B. COLAIANNI
BRENT O. ROCHE
FRED J. LEWIS
KIRK B. HADLEY
MITCHELL W. BROWN

*ALSO MEMBER ILLINOIS BAR

LAW OFFICES OF
RACINE, OLSON, NYE, COOPER & BUDGE
CHARTERED
CENTER PLAZA-CORNER FIRST & CENTER
POST OFFICE BOX 1391
POCATELLO, IDAHO 83204-0391

TELEPHONE
AREA CODE 208
232-6101
TELEX
208-232-6109

November 14, 1990

RECEIVED

NOV 23 1990

Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources
Eastern District
1515 Lincoln Road
Idaho Falls, Idaho 83401

Re: FMC Corporation
Water Right Permit Nos. 27-7057 and 27-7058

Dear Sir:

FMC Corporation is the owner of Permit Nos. 27-7057 and 27-7058. These permits pertain to the mine that FMC is in the process of developing in the Dry Valley area of Caribou County. SRBA claims were not filed with respect to these permits, as we were advised by Senior Water Rights Agent Tony Olenichak that such were unnecessary for the reason that proof of beneficial use had not been submitted for either permit.

Proof is due by January 1, 1991 for each permit. Additional time is needed in which to submit proof of beneficial use. Accordingly, for each permit we are enclosing an IDWR form 204, "Request for Extension of Time", together with our check in the amount of \$30, representing the \$15 filing fee for each request.

Because the available space on the request form is limited, additional information in support of the request appears appropriate and is hereby provided.

During the period 1988 through August 1990, FMC has expended in excess of \$2,612,200 for mine development. Included in this amount are the costs of drilling, casing, and screening one test well for each permit and drilling and monitoring wells to check test well draw-down.

Some of the reasons for the delay in the development of these permits and in support of the Request for Extension of Time are as follows:

RECORDED

MAR 15 1991

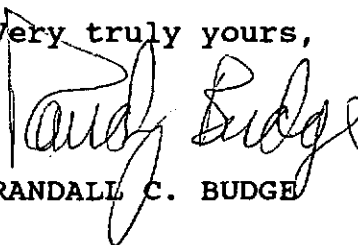
State of Idaho
Department of Water Resources
Page 2
November 14, 1990

1. FMC's mine and reclamation plan must be approved by the BLM and the Idaho Department of Lands before mining can begin.
2. Dry Valley Mine start-up must be coordinated with final depletion of the existing Gay Mine ore reserves. FMC presently forecasts mining phosphate ore will commence in Dry Valley during 1992.
3. By 1993, FMC plans to use both wells beneficially for mine dust control, for industrial clean-up and as culinary water sources.
4. Incident to mine and reclamation plan development, FMC accomplished additional ore body exploration and has opened a mining office in Soda Springs.

Attached to each permit as supplemental information is a Scoping Statement pertaining to FMC's proposed mine and reclamation plan in Dry Valley, providing additional information concerning the same.

If supplemental information is needed or if you have any questions, please contact me, as FMC is happy to respond to the same.

Very truly yours,


RANDALL C. BUDGE

RCB:rr

Enclosures

cc: R.L. Mills, Mgr., Energy Dept., FMC

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FILMED

MAR 15 1991



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
IDAHO FALLS DISTRICT OFFICE
940 LINCOLN ROAD
IDAHO FALLS, IDAHO 83401



IN REPLY REFER TO:

3500

SEP 24 1990

Dear Interested Public:

Attached is the Scoping Statement for the Mine and Reclamation Plan as proposed by the FMC Corporation for the north end of their Dry Valley Property. The Scoping Statement serves as a notice of the inception of the analysis process to fulfill the requirements of the National Environmental Policy Act. If you are interested in participating in this process, we request your written comments on the issues, concerns, and opportunities that have been identified or any additional issues, concerns, or opportunities by October 29, 1990.

If you have additional questions concerning the mining proposal, feel free to contact this office or the offices listed in the attached Scoping Statement.

Sincerely,

Lloyd H Ferguson
District Manager

Attachment

RECORDED

MAR 15 1991

SCOPING STATEMENT

Proposed Mine and Reclamation Plan

Dry Valley Mine
FMC Corporation

In November of 1988, FMC Corporation submitted a mine and reclamation plan for the development of the phosphate reserves on Federal leases I-015097, I-014184, I-011866, and I-0678 (commonly referred to as the Dry Valley leases). The leases lie in Section 31 of T. 7 S., R. 44 E., and in Sections 5, 6, 8, 9, 15, and 22 of T. 8 S., R. 44 E., on lands administered by both the Bureau of Land Management and the Caribou National Forest, as well as on federally owned minerals administered by the BLM (See figures 1 and 2). In addition to the federal leases, FMC's Dry Valley property includes a State of Idaho lease and private leases owned by FMC. The 1988 mine and reclamation plan was an update of plans previously submitted by FMC in 1974 and 1977. Development of the Dry Valley property by FMC is needed to replace ore that is currently being mined at the Gay Mine on the Fort Hall Indian Reservation. Reserves at the Gay Mine will be depleted in 1993.

In order to initiate the NEPA process, the BLM issued a scoping statement on the 1988 plan and requested comments on the issues, concerns, and opportunities associated with the plan. Comments were received which recommended that FMC redesign their mine plan to mine the deposit from north to south so that only one pit would not be backfilled, rather than the two pits that would have been left open in their proposed plan. Based on the comments received in 1988 and the results of recent drilling on the north end of the property, FMC has made a decision to begin mining at the north end of their property. That decision has required FMC to resubmit their mine plan. Also, FMC will make application to the Army Corp of Engineers for a Section 404 Permit under the Clean Water Act for the crossing of Dry Creek on the north end of the property, the placement of waste rock into wetlands adjacent to Dry Creek and Chicken Creek, and the relocation of a portion of Dry Creek. FMC has also stated that they will attempt to mine below the ground water table, which would require pumping water from the pit. In addition, in reviewing the 1988 plan, the BLM determined that the southern two pits in the 1988 plan did not have adequate drill data on which to base the design of the pits. As a result, FMC has decided to submit an updated mine and reclamation plan that will propose mining on the north half of the property only.

The 1990 mine and reclamation plan submitted by FMC proposes to begin mining at the north end of lease I-015097 and proceed to the south end of the lease (See figure 2). The box end cut for the south end of the Panel B pit would be on the extreme north end of lease I-014184, however, no other mining would occur on federal leases I-014184, I-011866, or I-0678 under the 1990 plan. Mining of the

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MAR 15 1991

north end of lease I-0-197 would require the approval of a Section 404 Permit by the Army Corp of Engineers and stream channel alteration permits by the Idaho Department of Water Resources for a haulroad crossing of Dry Creek, a rerouting of a 350 foot segment of Dry Creek, and the placement of waste rock in the wetlands adjacent to Dry Creek. The Section 404 Permit would also be required for a portion of Chicken Creek where an external waste dump is proposed.

FMC has included two external waste dump proposals in their 1990 mine plan. The first dump proposal includes a dump east of the A panel, a dump that covers a portion of Chicken Creek west of Panel B, and a dump east of Panel B. The second dump proposal includes a dump east of Panel A, two dumps west of Panel B which are located north and south of Chicken Creek, and a dump east of Panel B. A summary of the acreage proposed to be disturbed and reclaimed by FMC's 1990 mine plan is as follows:

Alternative 1 Mining and Dump Proposal

<u>Area to be disturbed</u>	<u>Acreage Disturbed</u>	<u>Reclamation</u>	
		<u>Total</u>	<u>Partial</u>
Pits	241	175	66*
External Waste Dumps	188	188	0
Roads, Railroad Siding, and Facilities	108	108	0
Water Control Structures	<u>12</u>	<u>12</u>	<u>0</u>
Total Disturbance	549	483	66

Alternative 2 Mining and Dump Proposal

<u>Area to be disturbed</u>	<u>Acreage Disturbed</u>	<u>Reclamation</u>	
		<u>Total</u>	<u>Partial</u>
Pits	241	175	66*
External Waste Dumps	231	231	0
Roads, Railroad Siding, and Facilities	108	108	0
Water Control Structures	<u>12</u>	<u>12</u>	<u>0</u>
Total Disturbance	592	526	66

*56 acres in Panel B would be backfilled with waste from Panel C when the mine plan for that panel is developed and submitted for approval. Ten acres of pit highwall on Panel A would not be reclaimed.

REPROFILMED

MAR 15 1991

FMC proposes to begin construction of the railroad siding and mine facilities on their private land during the summer of 1991. Stripping of waste would begin in the first quarter of 1992 and the first ore would be shipped in 1993. Access to the Dry Valley lease would be via the existing Dry Valley road. The railroad siding would connect FMC's tipple to the existing railroad line in Dry Valley. Ore would be hauled by rail to FMC's elemental phosphorus plant in Pocatello, Idaho. The 1990 mine plan would provide FMC's ore requirements for the next 10 years.

The following issues, concerns, and opportunities have been identified in processing FMC's 1990 Mine Plan:

- Impacts of mining on big game
- Long-term stability of overburden disposal areas, reclamation, control of erosion from disturbed lands, and long-term productivity of mined lands
- Maximum recovery of ore from the mined area
- Land use conflicts, especially livestock grazing
- Increased use of the Dry Valley road and safety at the railroad and haulroad crossings on the road
- Maximizing pit backfill following mining
- Impacts on groundwater quality and quantity as a result of mining below the ground water table and the pumping of water from the pits
- Affects on surface water quality and flow as a result of altering the channel of Dry Creek and the building of a waste dump in the Chicken Creek drainage
- Additional employment opportunities in the Soda Springs area
- Impacts on wetlands along Dry Valley and Chicken Creeks, and the temporary loss of a portion of the Dry Creek stream channel
- Cumulative impacts in the Dry Valley area

The Environmental Assessment that will be prepared will be a joint document between the Bureau of Land Management and the Army Corp of Engineers. The document will analyze the impacts of approving the mine plan proposed by FMC as well as issuing a Section 404 permit by the Corp of Engineers. The following alternatives will be evaluated in the EA:

- FMC's mining proposal, which would include the construction of 3 external waste dumps, including a dump in the Chicken Creek drainage
- An alternative external dump proposal which would split the dump west of Panel B and not disturb the Chicken Creek drainage
- The no action alternative

MAR 15 1991

The Environmental Assessment is scheduled to be prepared during the fall and winter of 1990. Comments from the public, concerned organizations, and Federal, State, and local governmental bodies must be received by October 29, 1990 in order to be used in developing the EA.

Your help in identifying additional issues, other alternatives, and mitigating measures would be appreciated. Information related to FHC's 1990 mining proposal is available for review at the Bureau of Land Management offices in Pocatello and Idaho Falls.

Send written comments or call:

Wallace Evans, Area Manager
Pocatello Resource Area
Room 172 Federal Building
Pocatello, Idaho 83201
(208) 236-6860

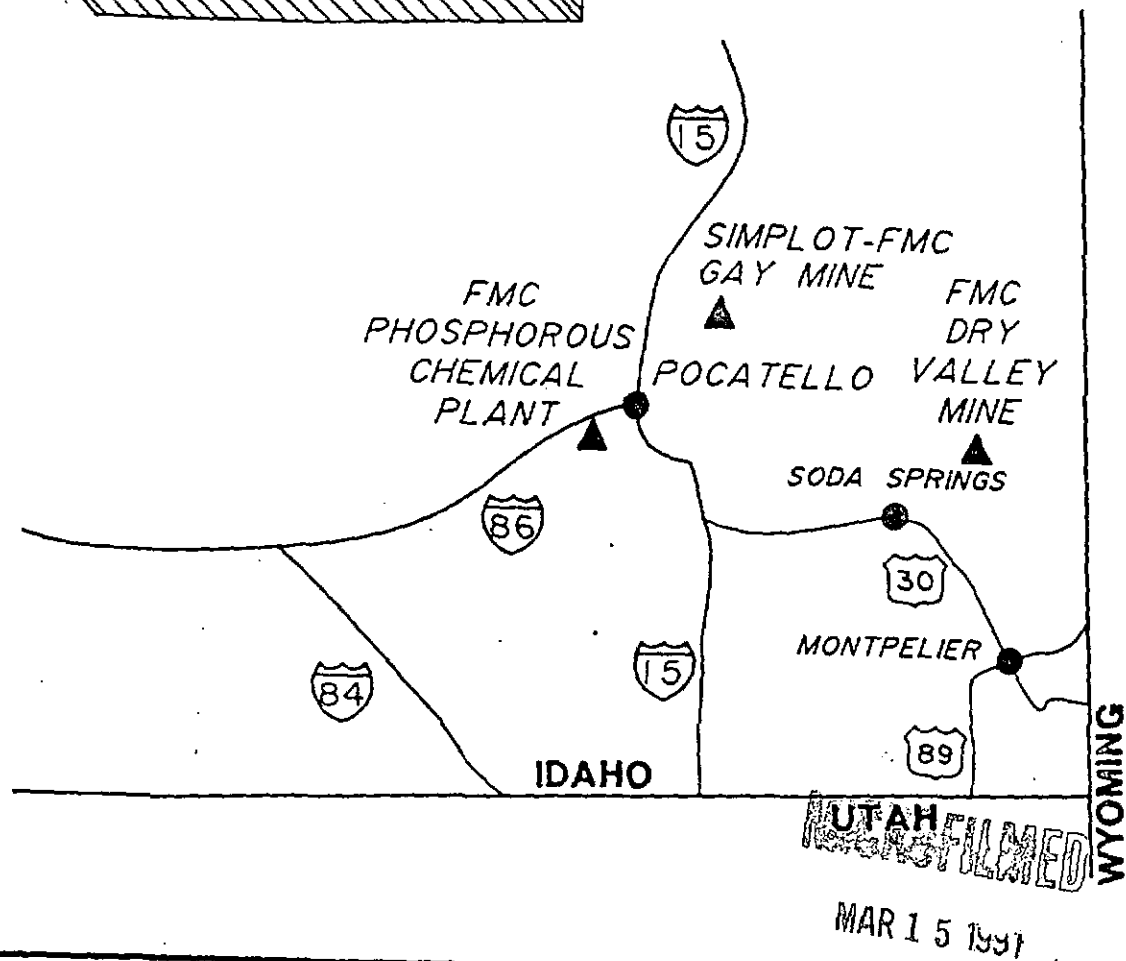
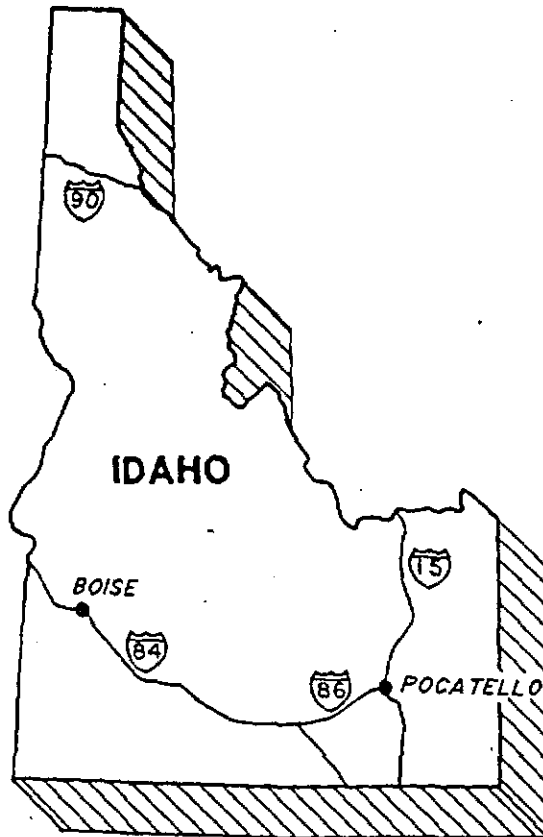
Greg Martinez, Field Representative
U.S. Army Corp of Engineers
Lucky Peak Project Office
HC-33 Box 1020
Boise, Idaho 83706-9302
(208) 343-0671

RECEIVED

MAR 15 1991

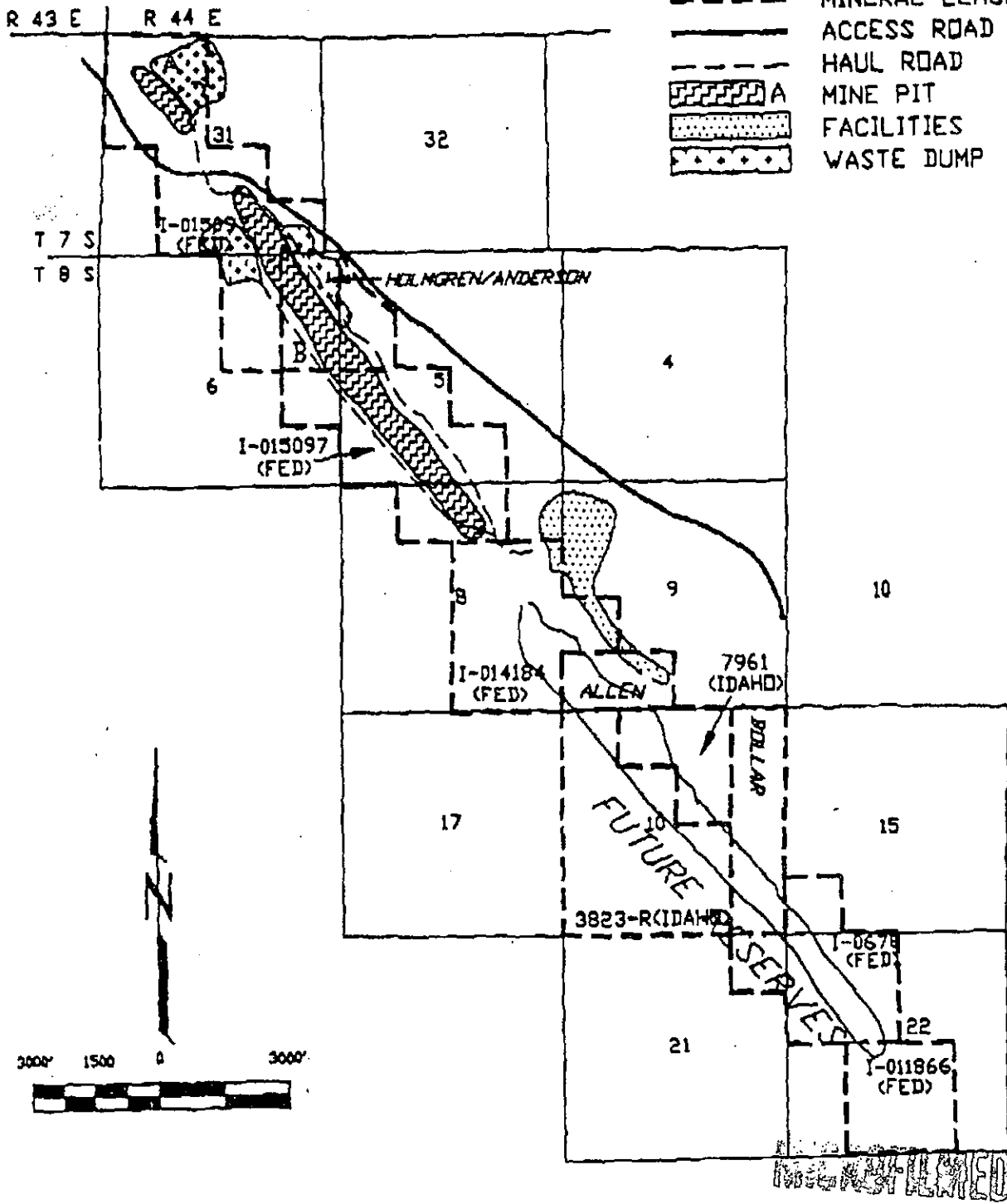
GENERAL LOCATION MAP

FIGURE 1



LEGEND

- MINERAL LEASE
- ACCESS ROAD
- HAUL ROAD
- ||||| A MINE PIT
- ||||| FACILITIES
- ||||| WASTE DUMP



DRY VALLEY LOCATION MAP MAR 15 1991
FIGURE 2

FMC CORP.
P.O. BOX 4111
POCATELLO, ID 83201

138572
October 31, 1990

PROOF DUE NOTICE

RE: PERMIT NO. 27-07058

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 January 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

MICROFILMED

MAR 15 1991

February 1, 1988

Lynn K. Jennings
Dechert, Price & Rhoads
1500 Market St.
Philadelphia, PA 19102

27-4063
27-7057
27-7058 ✓

Dear Ms. Jennings:

Re: FMC Corporation Inquiry

In response to your letter of inquiry dated January 5, 1988, the department has researched the files with respect to approvals granted in connection with the FMC Corporation facility located in Pocatello, Idaho.

Enclosed is an abstract which shows three (3) water rights in the name of FMC Corporation. There is no charge for the information.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

Enc.: 1

MICROFILMED

APR 01 1988

LAW OFFICES OF

DECHERT PRICE & RHOADS

3400 CENTRE SQUARE WEST

1500 MARKET STREET

PHILADELPHIA, PA 19102

TELEPHONE: (215) 972-3400

TELEX 84 5324 • BARDEP

TELECOPIERS

(215) 972-3864

(215) 568-1137

1730 PENNSYLVANIA AVENUE, N.W.

WASHINGTON, DC 20006

(202) 626-3300

800 NORTH THIRD STREET

HARRISBURG, PA 17102

(717) 233-7947

477 MADISON AVENUE

NEW YORK, NY 10022

(212) 326-3500

250 AVENUE LOUISE

1050 BRUSSELS, BELGIUM

(02) 647 85 85

52 BEDFORD SQUARE

LONDON WC1B 3EX, ENGLAND

01. 631. 3383

DIRECT DIAL

(215) 972-

1189

RECEIVED

JAN 12 1988

January 5, 1988

Department of Water Resources

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Kenneth Brooks, Chief
Bureau of Air Quality
Div. of Environment
Dept. of Health & Welfare
450 W. State St.
Boise, ID 83720

Lee W. Stokes
Administrator
Div. of Environment
Dept. of Health & Welfare
Towers Bldg.
450 W. State St.
Boise, ID 83720

Stanley F. Hamilton
Director
Dept. of Lands
State Capitol Bldg.
Room 121
700 W. Jefferson St.
Statehouse Mail
Boise, ID 83720

Cheryl Koshuta
Chief
Bur. of Hazardous Materials
Div. of Environment
Dept. of Health & Welfare
Towers Bldg., 5th Fl.
450 W. State Street
Boise, ID 83720

Steve Provant
Manager
Solid & Hazardous Waste Section
Bur. of Hazardous Materials
Div. of Environment
Dept. of Health & Welfare
Towers Bldg., 5th Fl.
450 W. State St.
Boise, ID 83720

Al Murray
Chief
Bur. of Water Quality
Div. of Environment
Dept. of Health & Welfare
Towers Bldg., 5th Fl.
450 W. State St.
Boise, ID 83720

A. Kenneth Dunn ✓
Director
Dept. of Water Resources
Towers Bldg.
450 W. State St.
Boise, ID 83720

RECEIVED

APR 01 1988

Re: Freedom of Information Act

To the Above Addressed Parties:

Please provide copies of any of the following documents which may be made available to the public regarding the FMC Corportion facility in Pocatello, Idaho:

All reports, notifications and other information filed under or pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, the Superfund Amendments and Reauthorization Act of 1986 and/or any other state statute which similarly relates to hazardous substances;

All reports, permit applications (Parts A and B) and other filings made under or pursuant to the Resource Conservation and Recovery Act, as amended and/or any other state statute which similarly relates to solid or hazardous wastes;

All water discharge permits and permit modifications issued since January 1, 1982, pursuant to the Clean Water Act and/or any other state statute which similarly relates to discharges into bodies of water together with their respective permit applications and the most recent application for a permit or permit modification, if not included in the above. If no permits have been issued since January 1, 1982, please provide the most recent permit issued together with the application therefor;

All air emission and construction permits and permit modifications issued since January 1, 1982, pursuant to the Clean Air Act, as amended and/or any other state statute which similarly relates to emission into the atmosphere together with their respective permit applications, and the most recent application for a permit or permit modification, if not included in the above. If no permits have been issued since January 1, 1982, please provide the most recent permit issued together with the application therefor;

All notices of violation and reports of noncompliance with respect to the above-identified permits;

APR 01 1988

All Consent Orders, Consent Decrees, Consent Agreements, or Administrative or Judicial Orders still in effect, concerning the above-identified facility;

All records pertaining to fines and penalties, civil or criminal, assessed since January 1, 1982.

We request that the above described information be provided at the earliest possible time. We agree to pay the reasonable costs of complying with this request, in an amount not to exceed \$100.00. If cost will exceed this amount, please contact me by telephone at (215) 972-1189.

Thank you for your assistance.

Very truly yours,

Lynn K. Jennings

Lynn K. Jennings
Legal Assistant to
William R. Herman

LKJ/dm

RECEIVED

APR 01 1988

March 11, 1986

FMC Corporation
P. O. Box 4111
Pocatello, ID 83202

Gentlemen:

Re: Permit Nos. 27-7057 and 27-7058

Enclosed are copies of the approved requests for extension of time submitted for the above-referenced permits. The time within which to submit proof of beneficial use is extended to January 1, 1991.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

MICROFILMED



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Pocatello Resource Area
Federal Building, Suite 172
250 S. 4th Avenue
Pocatello, Idaho 83201

IN REPLY
REFER TO: 3500

February 13, 1986

Ms. Rita I. Fleck, Secretary
Record Management
Idaho Dept. of Water Resources
Statehouse
Boise, ID 83702

RECEIVED
FEB 14 1986

Re: Your File #27-7057 and #27-7058

Department of Water Resources

Dear Ms. Fleck:

This letter is written to document diligent development of a federal mining property in Dry Valley, and in support of FMC Corporation's request for an extension on its water permits numbers 27-7057 and 27-7058.

As is routine with mining operations in southeastern Idaho, many years are required to bring these mines into production. FMC, as recently as the summer of 1985, has continued development operations at its Dry Valley phosphate properties, including federal leases I-015097, I-014184, I-0678 and I-011866, and other private and State of Idaho mineral leases.

As the Department of Water Resources is already aware, the subject permits involve developed, cased and tested water wells. These wells provide water for phosphate mine development and operations. At this time, FMC has consumed only minimal amounts of water for exploratory drilling operations at its Dry Valley Mine. A mine and reclamation plan covering these properties was submitted to the Dept. of Interior by FMC in the mid-1970's. However, federal agency delays and other complications have precluded this property from beginning production. Specifically, some examples include: writing of an Environmental Impact Statement of which FMC's Dry Valley Mine was included, processing of the necessary mining permits, collection of additional geologic data, negotiations and acquisition of both mineral rights and surface rights from other involved parties, etc.

I hope this is useful information. Should we be able to offer any more assistance, or answer any questions, please call 236-6860.

Respectfully yours,

Wallace A. Evans
Wallace A. Evans
Area Manager

cc: Glen Bailey, FMC

MICROFILMED

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 27-7058 & 27-7057 Reviewed by [Signature]

Date 3-6-1986

BASIC INFORMATION

- ☒ Date stamp received
- ☒ Extension received timely
(not prior to 6 month before proof due date or after reinstatement period)
- ☒ Fee received and receipted
- ☒ Name and signature same as permit
- ☒ Address change (indicate on coding sheet)

BASIS FOR EXTENSION REQUEST

- ☒ Has adequate work been completed to demonstrate due diligence?
- ☒ Has the cost incurred been adequate to demonstrate an intent to complete the project?
- ☒ Has the permit been involved in litigation?
 - a. Swan Falls Yes Dismissed from Swan Falls Yes
 - Other Identify
 - b. Is supporting documentation needed to complete the file? Requested
 - c. Calculate the period of delay:

Date litigation completed _____

Date litigation began _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

Yes Is delay by a government agency?

Is supporting documentation needed to complete the file? Yes

Requested? Yes See letter dated 2-14-1986

ACTION TAKEN - Recommend approval based on delay by governmental agency

Special conditions or remarks:

2 Reinstatement

Date extension received _____ = _____

Proof due date _____ = _____

No. of days late _____ = _____

Priority date _____ = + _____

ADJUSTED PRIORITY DATE _____ = _____

☐ Prepare coding sheet

☐ Change rolodex card

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

December 9, 1985

FMC Corporation
P. O. Box 4111
Pocatello, ID 83202

Gentlemen:

Re: Permit Nos. 27-7057 and 27-7058

I've reviewed the Request for Extension of Time forms submitted on November 22, 1985. I see that the same information is on these forms as was submitted on the last extension requests.

It is important to determine whether you have been pursuing development of the project diligently even though no actual work has been done to start the mining process. Please provide a detailed explanation or documentation of your efforts to get federal approval of your mining and reclamation plan during the last five years.

If you have any questions concerning your water rights, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

EXTENSION OF TIME

November 26, 1985

FMC Corporation
P. O. Box 4111
Pocatello, ID 83202

PERMIT NO. 27-7057, 27-7058 ✓

We are in receipt of the \$30 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 37320.

Roberta Garrett
Records Supervisor

Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
OCTOBER 31, 1985

FMC CORPORATION
P.O. BOX 4111
POCATELLO, ID 83201

138438

PROOF DUE NOTICE

RE: PERMIT NO. 27-7058

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 JANUARY 1, 1986. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST.) ENCLOSED IS A FORM WHICH 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 A COMPLETED PROOF OF BENEFICIAL USE FORM OR A 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

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT.

(2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

September 3, 1980

FMC Corporation
P.O. Box 4111
Pocatello Idaho 83201

RE: Permit No's 27-7057 & 27-7058

Dear Sir's

Enclosed is a copy of the approved requests for extension of time. The time within which to submit the statement of beneficial use is extended to January 1, 1986.

Also enclosed is receipt No. 16000 in the amount of \$15.00.

Sincerely,

Rita Fleck

Sr. Secretary

MICROFILMED

State law requires that this report be filed with the Director, Department of Water Administration within 30 days after the completion or abandonment of the well. Department of Water Resources

Name FMC CORPORATION
Address 609 W MAPLE, POCAHELLO IDA
Owner's Permit No. 27-7058

Static water level 17.2 feet below land surface
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Temperature _____ ° F. Quality _____
Artesian closed-in pressure _____ p.s.i.
Controlled by ☐ Valve ☐ Cap ☐ Plug

☒ New well ☐ Deepened ☐ Replacement

☐ Abandoned (describe method of abandoning)

☒ Pump ☐ Bailer ☐ Other

Discharge G.P.M.	Draw Down	Hours Pumped
200 GPM	50.84'	142

☐ Domestic ☒ Irrigation ☐ Test ☐ Other (specify type)
☐ Municipal ☒ Industrial ☒ Stock ☐ Waste Disposal or Injection

[illegible]☐ Cable ☒ Rotary ☐ Dug ☐ Other

Diameter of hole 8 inches Total depth 185 feet
Casing schedule: ☐ Steel ☐ Concrete

Thickness		Diameter		From		To	
<u>0.25</u>	inches	<u>8</u>	inches	+	<u>0</u>	feet	<u>185</u>
_____	inches	_____	inches		_____	feet	_____
_____	inches	_____	inches		_____	feet	_____
_____	inches	_____	inches		_____	feet	_____
_____	inches	_____	inches		_____	feet	_____

Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☒ Yes ☐ No
How perforated? ☐ Factory ☒ Knife ☐ Torch
Size of perforation 1/4 inches by 2 inches

Number	From	To
104	50	180

Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____
Type _____ Model No. _____

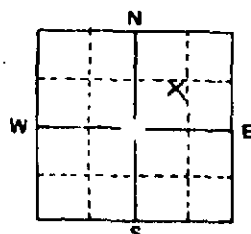
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No Size of gravel _____
Placed from _____ feet to _____ feet

Surface seal depth 15 Material used in seal ☒ Cement grout
☒ Puddling clay ☐ Well cuttings

Sealing procedure used ☐ Slurry pit ☒ Temporary surface coating
☐ Overbore to seal depth

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County CARIBOU

SW 1/4 NE 1/4 Sec. 8, T. 8 N, R. 44 E

10. Work started 6/5/76 finished 3/1/77

Firm Name Melan W Lloyd Firm No. 270

Address 1062 E. Poncha Date 5-2-27

Signed by (Firm Official) Walter W. Floyd

and
(Operator) Some



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

May 30, 1980

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the Regional Office nearest to you.

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL JR., P.E.
Supervisor, Water Allocations Section

DRT:jg

Enclosures

Northern Region Office
Rt. #5 Box 203, Government Way
Coeur d'Alene, Idaho 83814

Southern Region Office
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301

Eastern Region Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

Western Region Office
92 South Cole Road
Boise, Idaho 83705

MICROFILMED

March 16, 1976

Re: Permit No. 27-7058

Richard Conroy
FMC Corporation
609 West Maple
Pocatello, Idaho 83201

Dear Mr. Conroy:

Enclosed is a corrected copy of the above referenced permit. If you need anything further or have any questions, please contact this office. We are sorry for the delay in getting this copy to you.

Sincerely,

JANICE F. ROHM
Secretary

JFR

Enclosure

January 22, 1976

Re: Permit Nos. 27-7057
27-7058

FMC Corporation
609 West Maple
Pocatello, ID 83201

Gentlemen:

Enclosed are copies of your approved Applications for Permit Nos. 27-7057 and 27-7058. We direct your attention to the condition of approval as listed on the fourth page of each permit.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your points of diversion has been placed upon your permits. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:rb

En c.

December 19, 1975

RE: Applications for Permit Nos. 27-7057
27-7058

The Caribou County Sun
P.O. Box 815
Soda Springs, Idaho 83276

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted 1-05-76 by me

RDC:ME

Legal Notices (2)

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that FMC Corporation, Pocatello, Idaho has on 12-18-75 submitted Application No. 27-7058 for a permit to appropriate 2.00 cubic feet per second of water from a ground-water source by means of well, pump and pipeline within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, T. 8S, R. 44E, B.M., Caribou County; to be used from Jan. 1 to Dec. 31 for mining and processing purposes within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, T. 8S, R. 44E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before January 12, 1976.

R. KEITH HIGGINSON

Director

Published in the Caribou County Sun, Soda Springs, Idaho on December 25, 1975 and January 1, 1976.

RECEIVED
JAN 1 1976
CARRIQUET
COUNTY

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that FMC Corporation,
Pocatello, Idaho

has on 12-18-75 submitted Application No. 27-7058
for a permit to appropriate 2.00 cubic feet per second ~~acre feet per annum~~
of water from a ground-water source
by means of well, ~~xxx~~ pump and pipeline
within the SE 1/4 NE 1/4, Sec. 8, T. 8S, R. 44E, B.M., Caribou County;

to be used from Jan. 1 to Dec. 31
for mining and processing purposes

within the SE 1/4 NE 1/4, Sec. 8, T. 8S, R. 44E, B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before _____
January 12, 1976.

R. KEITH HIGGINSON

Director

Published in the Caribou County Sun, Soda Springs, Idaho

on December 26²⁵, 1975 and January 8, 1976.

Aw-L
Aw-A

414-17

December 19, 1975

RE: Applications for Permit Nos. 27-7057, 27-7058

FMC Corporation
Natural Resources Department
609 West Maple
Pocatello, Idaho 83201

ATTENTION: Attorney A.R. Conroy

Dear Mr. Conroy:

Attached herewith is Departmental receipt No. 15537 in the amount of \$70.00 for the above referenced applications.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:ME

Attachment

SECRET



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT

IDAHO FALLS, IDAHO 83401

RECEIVED

DEC 18 1975

Department of Water Resources
Eastern District Office

December 16, 1975

DEC 17 1975
F M S
MINERAL DEVELOPMENT
DEPARTMENT

FMC Corporation
Natural Resources Department
609 West Maple
Pocatello, Idaho 83201

*Applications
returned
12-16-75*

ATTENTION: Attorney A.R. Conroy

Dear Mr. Conroy,

Enclosed please find your check No. 1-23 in the amount of \$70.00 for the two applications that were returned to your office yesterday.

In order for our office to start the processing of your applications, we must have both the check covering the statutory filing fee and the applications, together. If you have any further questions, please feel free to contact our office.

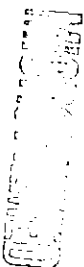
Very truly yours,

Ronald D. Carlson

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:ME

Attachment





STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT

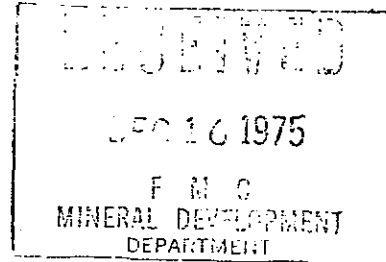
IDAHO FALLS, IDAHO 83401

December 15, 1975

RECEIVED

DEC 17 1975

Department of Water Resources
Eastern District Office



FMC Corporation
Natural Resources Department
609 West Maple
Pocatello, Idaho 83201

ATTENTION: Attorney A. R. Conroy

Dear Mr. Conroy:

We received two applications for permit December 8, 1975 for two wells you will need in your new mining and processing operation, without the filing fee of \$70.00 (\$35.00 for each permit.)

On December 9, 1975, you telephoned and stated you discovered the fee was omitted, but that you would see it was in the outgoing mail. To date we have not received the fee. Therefore, we are required to return your applications for permit.

Please return the applications with the statutory filing fee of \$35.00 each and we will be happy to begin commencing the processing of your applications.

If you have any questions, please contact me.

Very truly yours,

LOY H. JOHNSON
Senior Water Resource Agent

LHJ:cw

Enclosures

*Mr. Johnson,
Check sent 12-15-75.
Requested check from
accounting but didn't realize
it should have been immediate.
Sorry for the delay and any
inconveniences to you.
Joan Rodriguez*

December 16, 1975

FMC Corporation
Natural Resources Department
609 West Maple
Pocatello, Idaho 83201

ATTENTION: Attorney A.R. Conroy

Dear Mr. Conroy,

Enclosed please find your check No. 1-23 in the amount of \$70.00 for the two applications that were returned to your office yesterday.

In order for our office to start the processing of your applications, we must have both the check covering the statutory filing fee and the applications, together. If you have any further questions, please feel free to contact our office.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:ME

Attachment

December 15, 1975

FMC Corporation
Natural Resources Department
609 West Maple Road
Pocatello, Idaho 83201 Idaho 83401

ATTENTION: Attorney A. R. Conroy

Dear Mr. Conroy:

Enclosed are two Application for Permits. If
We received two applications for permit December 8, 1975 for two wells you
will need in your new mining and processing operation, without the filing
fee of \$70.00 (\$35.00 for each permit.)

Sincerely,

On December 9, 1975, you telephoned and stated you discovered the fee was
omitted, but that you would see it was in the outgoing mail. To date we
have not received the fee. Therefore, we are required to return your appli-
cations for permit.

Please return the applications with the statutory filing fee of \$35.00 each
and we will be happy to begin commencing the processing of your applications.

If you have any questions, please contact me.

Very truly yours,

LOY H. JOHNSON
Senior Water Resource Agent

LHJ:cw

Enclosures

FMC Corporation

Natural Resources Department
609 West Maple
Pocatello Idaho 83201
(208) 233 1911

December 5, 1975

FMC

DEC 8 1975

Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Attn: Mr. Loy Johnson

Enclosed are two Application for Permits. If
you have any questions concerning these applications,
please contact me.

Sincerely,

A. R. Conroy jr

A. R. Conroy
Manager

jr

Enclosures (2)

RECEIVED
DEC 10 1975
FMC

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. FMC Corporation

- ☒ Source
- ☒ Point of Diversion
- ☒ County
- ☒ Quantity of Water and Period of Use
- ☒ Description of Diverting Works
- ☒ Time required for B/U of water
- ☒ Place of Use or Acres Irrigated
- ☒ Map
- ☒ Signature
- ☒ Fee

(1) SAJ 12/18/75

In form to receipt yes

(2) " "

Send Copies to:

- Idaho State Health Department
- NA Idaho Fish and Game Department
- Bureau of Land Management

(3) " "

- Request Special Use Permit from U.S.F.S.
- NA Request Easement from B.L.M.
- Request Information from Applicant

(4) " "

In form for advertising yes

(5) " "

Platted on Map No. AA-98-8848

(6) " "

Located within Water District No. N.A.

(7) " "

Critical groundwater area: yes no ☒

(8) " "

Groundwater levels: No Obs well in this Area

Declining, Stable, Increasing

(comment)

(9) " "

Other rights on the same place of use None

(10) " "

Comments: No known conflicting water rights

(11) me 1-5-76

Affidavit of Publication received(date) 1-05-76

(12) me 1-12-76

Final date for protests January 12, 1976

Protests received: yes no ☒

(13) LA 1-12-76

All requested information received from agencies or applicant: yes NA no no

(14) " "

Action recommended:

☒ Approve

RECEIVED
Deny

12-18-75 Proposed Priority

JAN 11

Reason for Reduction Department of Water Resources

☒ Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

(15) District E

By Larley O. Stalmer Date 1-12-76

copy
sent
1-22-76