

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4128
WATER RIGHT NO. 29-02301

This is to certify that: **FMC CORP**
PO BOX 4111
POCATELLO ID 83202

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
INDUSTRIAL	01/01 to 12/31	4.00 CFS

SOURCE

GROUNDWATER

Priority: 04/24/1951

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 13, Township 06S, Range 33E
NWNW , Sec. 13, Township 06S, Range 33E
POWER County

PLACE OF USE: INDUSTRIAL

TWN RGE SEC

06S 33E 12	SWSW	SESW	SWSE
	SESE		
13	NENE	NWNE	SWNE
	SENE	NENW	NWNW
	SWNW	SENW	NESE
	NWSE		

CONDITIONS/REMARKS:

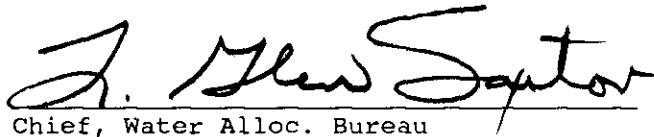
1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

TRANSFER NO. 4128
WATER RIGHT NO. 29-02301

CONDITIONS/REMARKS:

4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
6. The total instantaneous diversion of water from all points of diversion under Transfer No. 4128 shall not exceed 4.00 cfs.
7. The well previously used under Right No. 29-02301 shall be abandoned in a manner which complies with Department well abandonment rules.

Dated this 7th day of June, 1994


Chief, Water Alloc. Bureau

29-02301

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4128Amended **APPLICATION FOR TRANSFER OF WATER RIGHT** Amended
PART 1Name of applicant FMC CORPORATION Phone 208-236-8200
Post Office address PO Box 4111, Pocatello, Idaho 83202**A. PURPOSE OF TRANSFER**

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other correct pt. location for well #3
2. Describe the reason for the proposed changes Water Right No. 29-02301 (formerly 22059)
presently diverted from 2 wells identified as Well Nos. 3 and 5. Well No.
5 will be abandoned and replaced by the new well at a new point of
diversion; Well No. 3 will continue to be used at the existing point of
diversion.

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

1. Right Number 29-02301 Priority 4/24/51 Amount (cfs/ac-ft) 4.0 cfs Nature of Use Industrial Period of Use 1/1 to 12/31
(formerly 22059) _____ to _____
_____ to _____
_____ to _____
2. Total amount of water being transferred 4.0 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NW	~~NE~~	13	6S	33E	POWER	FMC PLANT #3
	NW	NE	~~SW~~	13	6S	33E	POWER	FMC-6

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	33E	12							~~I~~	~~I~~			I	I			I	I	
		13	I	I	I	I	I	I	I	I					I	I			

* Correction made per application Map & confirmation with Region. 28 5-23-94
Total acres _____

PART 1

6. General Information:

- a. Description of diversion system Two wells, 150 hp electric motors, 8" pipe to 10" mainline
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? NO Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
N/A - Industrial use unchanged
- d. Remarks:
Approximately one-half of water right will be diverted from existing Well No. 3 at NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 13, and one-half from new well at NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 13, T6S, R33E. B. M. Existing well No. 5 to be abandoned.

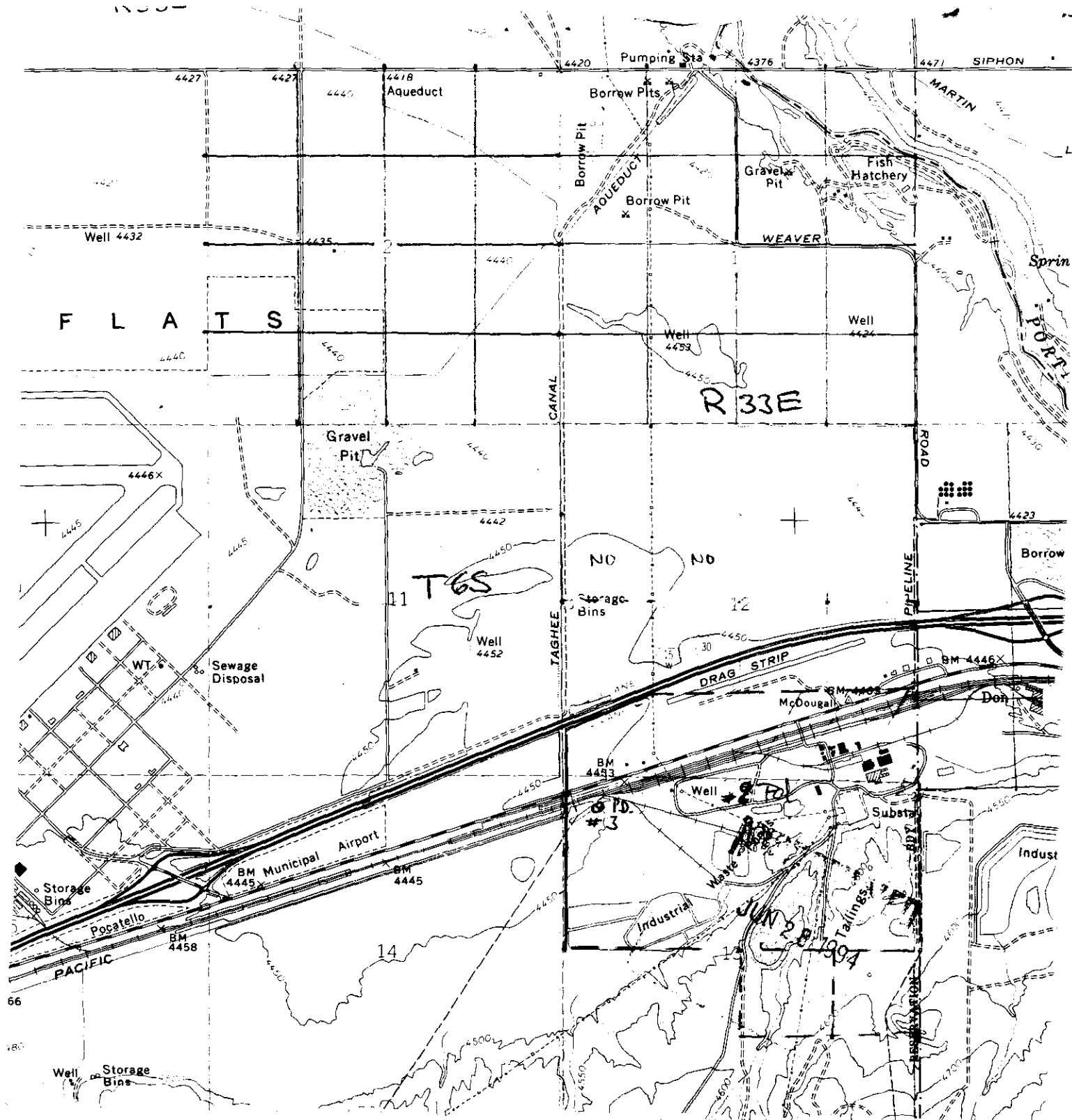
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____


1994



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**

PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
	NONE			_____ to _____
				_____ to _____

2. Quantity and quality of return flows and location of discharge:

NONE - NO CHANGE

3. Describe effects on other water uses resulting from the proposed change:

NONE - NO CHANGE

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Robert L. Mills Energy Manager
(Signature of Applicant) + Title

Subscribed and sworn to before me this _____ day of April, 19 94.

Rudolf C. Budge
(Notary Public)

My commission expires 10/11/94

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by DMD Date 9-9-1992 Protest filed by _____Prelim. check by _____ Fee 50.00 _____Received by DMIS E017837 Date 9-9-1992 _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

MISSOURI
JUN 28 1994

State of Idaho

License and Certificate of Water Right

Water License No. **22059**Amount **Four second feet**

Water District No.

Priority **April 24, 1951**

THIS IS TO CERTIFY that **WESTVACO CHEMICAL DIVISION, FOOD MACHINERY & CHEMICAL CORPORATION** of **Pocatello, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **April 24**, 19 **51**; that Permit No. **22059** was issued under said application; that Certificate of Completion of works, with a carrying capacity of **Four** second feet, was issued thereunder on **May 1**, 19 **53**, showing that said works were completed on the **6th** day of **March**, 19 **53**; and that on the **6th** day of **March**, 19 **53**,

WESTVACO CHEMICAL DIVISION, FOOD MACHINERY & CHEMICAL CORPORATION of **Pocatello**, State of **Idaho**, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well ~~existing~~ (subterranean flow), for the purpose of use at manufacturing plant, under Use Permit No. **22059** of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume **8** of Licenses at page **5075**, on the **1st** day of **May**, 19 **53**;

The right hereby confirmed dates from **April 24**, 19 **53**;

The Point of Diversion is located

in the **NE** $\frac{1}{4}$ **NW** $\frac{1}{4}$, Sec. **13**, Twp. **6 S.**, R. **33 E.**, B. M. **Power**

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **Four (4)** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			Plant of the Food Machinery & Chemical Corporation, Westvaco Chemical Division, in Sections 12 and 13, Twp. 6 South, Range 33 East, B.M.		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

1st day of **May**, 19 **53**.

MARK R. KULP

State Reclamation Engineer

(SEAL)

State of Idaho

License and Certificate of Water Right

Water License No. 20008Amount Two second feet

Water District No.

Priority January 5, 1951THIS IS TO CERTIFY that W. G. MARTINof Caldwell, Idaho

, made application for a permit to appropriate the

public waters of the State of Idaho, dated February 5, 1947; that Permit No. 20008

was issued under said application; that Certificate of Completion of works, with a carrying capacity of

Two (2) second feet, was issued thereunder on January 21, 1948, showing that said workswere completed on the 19th day of January, 1948; and that on the 22ndday of January, 1953,W. G. MARTINof Caldwell, State of Idaho

, made proof to the satisfaction of the

State Reclamation Engineer

of Idaho, of the right to use the waters of South Drain Ditch ofDrainage Dist. #6, Blaine Canyon County, for the purpose of irrigation and domestic use, under Use Permit No. 20008of the Department of Reclamation

and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,

and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

8 of Licenses at page 5076, on the 1st day of May, 1953;The right hereby confirmed dates from January 5, 1951;

The Point of Diversion is located

in the NW 1/4 NW 1/4, Sec. 20, Tp. 4 N., R. 3 W., B. M. Canyon

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall

not exceed Two (2) cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	3 W.	17 20	SW 1/4 SW 1/4	20	20
			NW 1/4 NW 1/4	40	40
			SW 1/4 NE 1/4	40	40
			Number of Acres Actually Irrigated - - -		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

1st day of May, 1953.MARK R. KULP

State Reclamation Engineer

(SEAL)

29-2301 N^o 22059

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 29783
PERMIT No. 22059
DISTRICT No.

O. R. Baum
P. O. Box 670
Pocatello, Idaho

1. Name of Applicant: **WESTVACO CHEMICAL DIVISION, FOOD MACHINERY AND CHEMICAL CORPORATION**

Postoffice address: **Box 1608 Pocatello**

County: **Bannock**

State: **Idaho**

I. If applicant is a corporation, give:

- (a) Date and place of incorporation: **August 10, 1928, Delaware (Duly qualified in Idaho in Power & Bannock Counties)**
(b) Amount of capital stock: **See attached sheet**
(c) Amount paid in: **See attached sheet**
(d) Names and addresses of directors: **See attached sheet**

II. The financial resources of the applicant are:

- (b) Treasury stock: **See attached sheet**
(d) Other resources:

- (a) Cash on hand: **See attached sheet**
(c) Bonds to be issued:

2. Quantity of water claimed: **Eight (8)** cubic feet per second.

3. Source of water supply: **Subterranean source (underground)** which is a tributary of

4. Location of point of diversion: **See Remarks** feet distant from the
corner of Section , T. , R. , B. M., and is in the **NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NW $\frac{1}{4}$**
of Section **13** , T. **6 S.** , R. **33 E.** , B.M., County of **Power**

5. Water is to be used for **Manufacturing plant (See Remarks)**

6. If for mining, milling, power or manufacturing purposes, give:

- (a) Point of use of water **N 73°W 880** feet distant from **S E** corner of Section **12**
T. 6 S. , R. 33 E. , B.M., in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section **12** , T. **6 S.** , R. **33 E.** , B.M.
(b) Amount of power generated: **- -** H.P., under **- -** feet head.
(c) Water is to be returned to **Portneuf River** at a point **N 24°50' E. 1550** feet
of Lot 10
distant from the **S W** corner of Section **7** , T. **6 S.** , R. **34 E.** , B.M., in the
NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section **7** , T. **6 S.** , R. **34 E.** , B.M.

7. Estimated cost of works: **\$ 35,000.00**

8. Kind of works: **Two wells, pumps, pipe line to plant, pipe and open ditch to discharge.**

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;
dimensions of flume:

Diameter of pipe **2** inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is **Five (5)** years.

13. The time required for the complete application of the water to the proposed use is **Six (6)** additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

16. (a) Is reservoir to be used? **No** If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

WESTVACO CHEMICAL DIVISION OF
FOOD MACHINERY AND CHEMICAL CORPORATION, *Applicant.*
A CORPORATION

By **J. Gilbert Miller** *Agent.*

Date of first receipt at Department of Reclamation: 9:00 A. M. April 24, 1951

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 22059

Recorded in Book 79 Page 22059 Approved May 5, 1951

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before **July 5, 1951** and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before **November 5, 1953**

The whole of said work to be completed on or before **May 5, 1956**

Beneficial use of water appropriated in accordance herewith, to be made on or before **May 5, 1962**

WITNESS My hand this 5th day of May, 1951

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, LEN JORDAN, Governor of the State of Idaho,
and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument
to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 5th
day of May, 19 51. STATE OF IDAHO

Countersigned:
(SEAL) By **IRA H. MASTERS**
Secretary of State.

By **LEN JORDAN**
Governor.

REMARKS: Points of diversion are as follows: Well # 4- S 80°E. 1390 ft. from the common corner of Secs. 11, 12, 13 & 14, and in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 13, Twp. 6 S., Range 33 E., B.M. Well # 5- S 11°E. 1580 ft. from same common corner, and in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 13, Twp. 6 S., Range 33 E., B.M.

14.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
REMARKS (Continued) This water will be used by applicant in connection with the operation of its chemical processing plant heretofore constructed, now under construction, and all additions hereinafter to be constructed at a point located near the points of diversion and shown on the attached map. This plant will produce elemental phosphorus from phosphatic shale and phosphate rock obtained from sources in Southeastern Idaho, using electric power from the Idaho Power Company. The water may also be used in the processing of the elemental phosphorus or phosphate rock into other chemical products. Applicant commenced initial work on the 16th day of March, 1948, in making surveys for location of the various improvements, including the wells, and thereafter maps were prepared, and thereafter actual construction work started, as of July 6, 1948, thereafter additional furnaces were constructed and have heretofore been used, and additional ones are hereinafter contemplated, which will cause much more additional water to be utilized and all are a part of the same plant and the same plan and design for use in the same operation.																			

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that WESTVACO CHEMICAL DIVISION, FOOD MACHINERY & CHEMICAL CORPORATION of Pocatello, County of Bannock, and State of Idaho, the holder of Permit No. 22059, issued upon Application No. 29783 bearing date of priority of April 24, 1951, authorizing the diversion of Eight (8) second feet of the waters of subterranean flow from wells County of Power, State of Idaho, for manufacturing plant purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use Four (4) second feet of the waters of a well; that the point of diversion of said waters is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 13, Township 6 South, Range 33 East, B.M. and that the place of use of said water is in Sections 12 and 13, Township 6 South, Range 33 East, B.M.

Witness my hand this 1st day of May, A.D. 1953.

MARK R. KULP
State Reclamation Engineer

Proof of completion of works was made March 6, 1953.
Certificate of completion of works issued May 1, 1953.

LICENSE ISSUED FOR 4 SEC. FT.
page 5025

Prefix Translation: ADJUDICATION CLAIM

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

1990

JUN 28 1994

Water Right Number - A29-02301

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number - 22059

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
FMC CORPORATION

1 - P.O. BOX 4111
2 -
3 -
City- POCA TELLO State- ID Zip- 83202
Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
04/24/1951 15 EASTERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
Tw n Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)
06S 33E 13 NE NW (77) POWER

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
07 - INDUSTRIAL 4.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
4.000 2800.0

+ - - - - Place of Use - - - - - +
Tw n Rng Sec Tract Lot Acres Code Description County
06S 33E 12 07 INDUSTRIAL (77) POWER
06S 33E 13 07 INDUSTRIAL (77) POWER

+ - - Diversion Means - TWO WELLS, 150 HP ELECTRIC MOTORS, 8" PIPE TO 10 " MAIN LINE.

+ - - Non-Irrigation Use - I/MANUFACTURING PLANT.

+ - - Other Rights for Same Use - A29-02284.

+ - - - - Remarks - - - - - +
No Remarks found.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 06/14/89 OLENICHA

JUN 28 1994

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 29-02301

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
INDUSTRIAL	to	4.00 CFS

SOURCE

GROUNDWATER

Priority: 04/24/1951

LOCATION OF POINT(S) OF DIVERSION:NENW , Sec. 13, Township 06S, Range 33E
POWER CountyPLACE OF USE: INDUSTRIALTWN RGE SEC06S 33E 12
13CONDITIONS/REMARKS:

1. P/U INCOMPLETE. SEE FILE.

JUN 28 1994

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 29-02301 (formerly 22059) issued by the Idaho Department of Water Resources.
- c. Claim No. A29-02301 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 4/24/51

5. Water is used for the following purpose:

amount 4.0 cfs for Industrial purposes from 1/1 to 12/31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 4.0 cubic feet per second and/or 2800 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NW	13	06S	33E	Power	FMC Plant

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
06S	33E	12	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
06S	33E	13	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	

9. Describe any other water rights used for the same purpose as described above

Total acres 29-02284

JUN 28 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 8, 1994

FMC CORP
PO BOX 4111
POCATELLO ID 83202-4111

RE: Transfer of Water Right No. 29-02301

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 4128). Please be sure to thoroughly review the "CONDITIONS/REMARKS:" as listed on the transfer.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over a horizontal line.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

SCANNED
MAY 01 2001

JUN 28 1994

MEMORANDUM

TO: FILE 29-02301

FROM: PAM SKAGGS/²STATE OFFICE

SUBJECT: TRANSFER NO. 4128

DATE: May 23, 1994

=====

Transfer No. 4128 was filed to change the points of diversion under Right No. 29-02301, replacing one existing well and correcting the legal description of the other existing well. The place of use is also specifically identified through this transfer.

Recommended conditions include drilling permit and well abandonment requirements, multiple points of diversion limits, measuring devices and standard transfer conditions.

RECEIVED

MAY 28 1994

WR0749NP
No. T29-02301

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/23/94
PAGE: 2

Comments: Date: 05/23/1994 User-ID: SKAGGS Subject: TRANSFER NO. 4128
Transfer No. 4128 was filed to change the points of diversion
under Right No. 29-02301, replacing an existing well and correct-
ing the legal description of the other existing well. The place
of use is also specifically identified through this transfer.

Audit: 10/05/92 CURTIS 05/23/94 SKAGGS

RECEIVED
MAY 6 1994

Affidavit of Publication

Department of Water Resources
Eastern District Office

State of Idaho

County of Power

Erma Crompton being first duly sworn on oath, states:

That she is the publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls 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 or advertisement 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 23 day of Sept. 1992 and the date of the last publication being the 30 day of Sept. 1992.

Signed

Erma Crompton

State of Idaho

County of Power

On this 5 day of May in the year of 1994, before me, a Notary Public, personally appeared Erma Crompton, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Burt Crompton

Notary Public for Idaho
Residing at American Falls, Idaho
My commission expires: June 8, 1999

Proposed change
of water right

Published in The Power County Press,
Sept. 23, 30, 1992.

NOTICE OF PROPOSED CHANGE OF
WATER RIGHT

Notice is hereby given that Kim or Connie Wahlen of Aberdeen, ID, has applied to the Department of Water Resources to change the following described water right(s) pursuant to section 42-222 of Idaho Code.

WATER RIGHT AS RECORDED

Water Right No. 35-02643B

Basis of Right: License

Source: groundwater

Priority Date: 02/06/1961

Amount of Water: 7.28 cfs

Use: Irrigation

Points of Diversion: SWNE SEC 34
SWNW SEC 35 T07S R29E, POWER
COUNTY

Place of Use: S1/2SW SEC 26 S1/2SE
SEC 27 NE N1/2SE SEC 34 W1/2NW
N1/2SW SEC 35 T07S R29E, B.M.
WATER RIGHT CLAIMED IN SNAKE
RIVER BASIN

ADJUDICATION:

Water Right No. A35-02643A

Basis of Right: Claim

Source: Groundwater

Priority Date: 02/06/1961

Amount of Water: 4.20 cfs

Use: Irrigation

Points of Diversion: SWNE SEC 34
T07S R29E, POWER COUNTY

Place of Use: S1/2SE SEC 27 NE
N1/2SE SEC 34 T07S R29E, B.M.
WATER RIGHT & ADJUDICATION
CLAIM TO BE CHANGED AS
FOLLOWS:

Only 4.20 cfs will be diverted from the SESE (NEW WELL) SEC 27 SWNE SEC 34 T07S R29E, POWER COUNTY and used to irrigate 309 acres of water within the S1/2SE SEC 27 NE N1/2SE SEC 34 T07S R29E, B.M.

Any protests against the proposed change must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83402 on or before October 12, 1992.

R. Keith Higginson
Director

NOTICE OF PROPOSED CHANGE OF
WATER RIGHT NO. A29-02301

Notice is hereby given that FMC Corporation of Pocatello, ID, has applied to the Department of Water Resources to change the following described water right(s) pursuant to section 42-222 of Idaho Code.

WATER RIGHT AS RECORDED

Water Right No. 29-02301

Basis of Right: License

Source: groundwater

Priority Date: 04/24/1951

Amount of Water: 4.0 cfs

Use: Industrial

Points of Diversion: NENW SEC 13
T06S R33E, POWER COUNTY

Place of Use: SEC 12 SEC 13 T06S
R33E, B.M.

WATER RIGHT CLAIMED IN SNAKE
RIVER BASIN

ADJUDICATION:

Water Right No. A-29-02301

Basis of Right: Claim

Source: groundwater

Priority Date: 04/24/1951

Amount of Water: 4.0 cfs

Use: Industrial

Points of Diversion: NENW SEC 13
T06S R33E, POWER COUNTY

Place of Use: SEC 12 SEC 13 T06S
R33E, B.M.

WATER RIGHT & ADJUDICATION
CLAIM

TO BE CHANGED AS FOLLOWS:

Points of Diversion: SWSWNE SEC 12
(Replacement for well # 4) NENW SEC
13 T06S R33E, B.M.

Any protests against the proposed change must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID, 83402, on or before October 12, 1992.

R. Keith Higginson
Director

NOTICE OF PROPOSED CHANGE OF
WATER RIGHT NO. A29-02301

Notice is hereby given that FMC Corporation of Pocatello, ID, has applied to the Department of Water Resources to change the following described water right(s) pursuant to section 42-222 of Idaho Code.

WATER RIGHT AS RECORDED

Water Right No. 29-02301
Basis of Right: License
Source: groundwater
Priority Date: 04/24/1951
Amount of Water : 4.0 cfs
Use: Industrial
Points of Diversion: NENW SEC 13 T06S R33E, POWER COUNTY
Place of Use: SEC 12 SEC 13 T06S R33E, B.M.

WATER RIGHT CLAIMED IN SNAKE RIVER BASIN
ADJUDICATION:

Water Right No. A29-02301
Basis of Right: Claim
Source: groundwater
Priority Date: 04/24/1951
Amount of Water : 4.0 cfs
Use: Industrial
Points of Diversion: NENW SEC 13 T06S R33E, POWER COUNTY
Place of Use: SEC 12 SEC 13 T06S R33E, B.M.

WATER RIGHT & ADJUDICATION CLAIM
TO BE CHANGED AS FOLLOWS:

Points of Diversion: SWSWNE SEC 12 (Replacement for well #4)
NENW SEC 13 T06S R33E, B.M.

Any protests against the proposed change must be filed with the Idaho Department of Water resources, 150 Shoup Ave., Idaho Falls, ID, 83402, on or before October 12, 1992.

R. Keith Higginson
Director

Published in the Power County Press on September 24 & October 1, 1992.

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JUN 28 1994

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
**ALSO MEMBER MO BAR

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

April 7, 1994

RECEIVED
APR 8 1994
Department of Water Resources
Eastern District Office

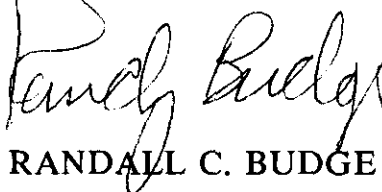
Harold W. Jones
Water Resource Supervisor
Idaho Department of Water Resources
900 N. Skyline Drive
Idaho Falls, Idaho 83402-1718

Re: FMC Water Right No. 29-02301 (Formerly 22059)

Dear Harold:

Enclosed please find FMC's Amended Transfer Application which has been signed and notarized. Please proceed with processing. Thank you for your assistance.

Sincerely,


RANDALL C. BUDGE

RCB:rr

Enclosure

cc: R.L. Mills, Energy Manager, FMC

JUN 28 1994

0010

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4128

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant FMC CORPORATION Phone 208-236-8200Post Office address P.O. Box 411, Pocatello, Idaho 83202**A. PURPOSE OF TRANSFER**

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes Water Right No. 29-02301 (formerly 22059)
presently diverted from 2 wells identified as Well Nos. 3 and 4.5 Well No. 4.5
will be abandoned and replaced by the new well at a new point of diversion;
Well No. 3 will continue to be used at the existing point of diversion.

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

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|------------------|----------------|-----------------------|-------------------|----------------------------|
| <u>29-02301</u> | <u>4/24/51</u> | <u>4.0 cfs</u> | <u>Industrial</u> | <u>1/1</u> to <u>12/31</u> |
| <u>(formerly</u> | | | | to _____ |
| <u>22059)</u> | | | | to _____ |
| | | | | to _____ |

2. Total amount of water being transferred * 2.0 cubic feet per second and/or 1,400 acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	NE	12	06S.	33E.	Power	FMC Plant Replacement for Well #3
*	NW	NE		13	6S	33E	Power	Well #3 FMC-6

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
06S	33E	12																	
		13																	

JUN 28 1994

* As per telecon 15:06, 9-9-1992 with Kandy Budge DMO See exhibit Total acres _____

PART 1**6. General Information:**

a. Description of diversion system Two wells, 150 hp electric motors, 8" pipe to
10" mainline

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? No Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

N/A - Industrial use unchanged

d. Remarks:

Approximately one-half of water right will be diverted from existing
Well No. 3 at NE1/4 NW1/4 Sec. 13, and one-half from new well at
SW1/4 SW1/4 Sec. 12, T. 6. S., R. 33 E.B.M. Existing well No. 4 to
be abandoned. 13

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

JUN 28 1994

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 29-02301 (formerly 22059) issued by the Idaho Department of Water Resources.
- c. Claim No. A29-02301 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 4/24/51

5. Water is used for the following purpose:

amount 4.0 cfs for Industrial purposes from 1/1 to 12/31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 4.0 cubic feet per second and/or 2800 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NW	13	06S	33E	Power	FMC Plant

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
06S	33E	12	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
06S	33E	13	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

29-02284
JUN 28 1994

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 2.0 cfs for Industrial purposes from 1/1 to 12/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	NE	12	06S	33E	Power	FMC Plant

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
06S.	33E.	12																	
06S.	33E.	13																	
			<i>Void as per Telecon with Randy Budge</i>																
			<i>15:06 9-9-1992</i>																

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 2.0 cfs for Industrial purposes from 1/1 to 12/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NW	13	06S	33E	Power	FMC Plant

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
06S.	33E.	12																	
06S.	33E.	13																	
			(UNCHANGED)																

Total acres _____

R 33 E

1
12

1
12

FORT HALL INDIAN
RESERVATION BOUNDARY

T. 6 South, R. 33 East

INTERSTATE 86

18.7 ACRES

LINDLEY
HOUSE
WELL

TW 4S
TW 4I
TW 4D

W #3

BANNOCK PAVING
AREA

9E

15S

Well #3

8S

SLURRY
DRYING

10S

404 ACRES

SLAG PILE

PILOT HOUSE
WELL'S

TW 5S
TW 5I
TW 5D

RAILROAD
SWELL

TW 2S
TW 2I
TW 2D

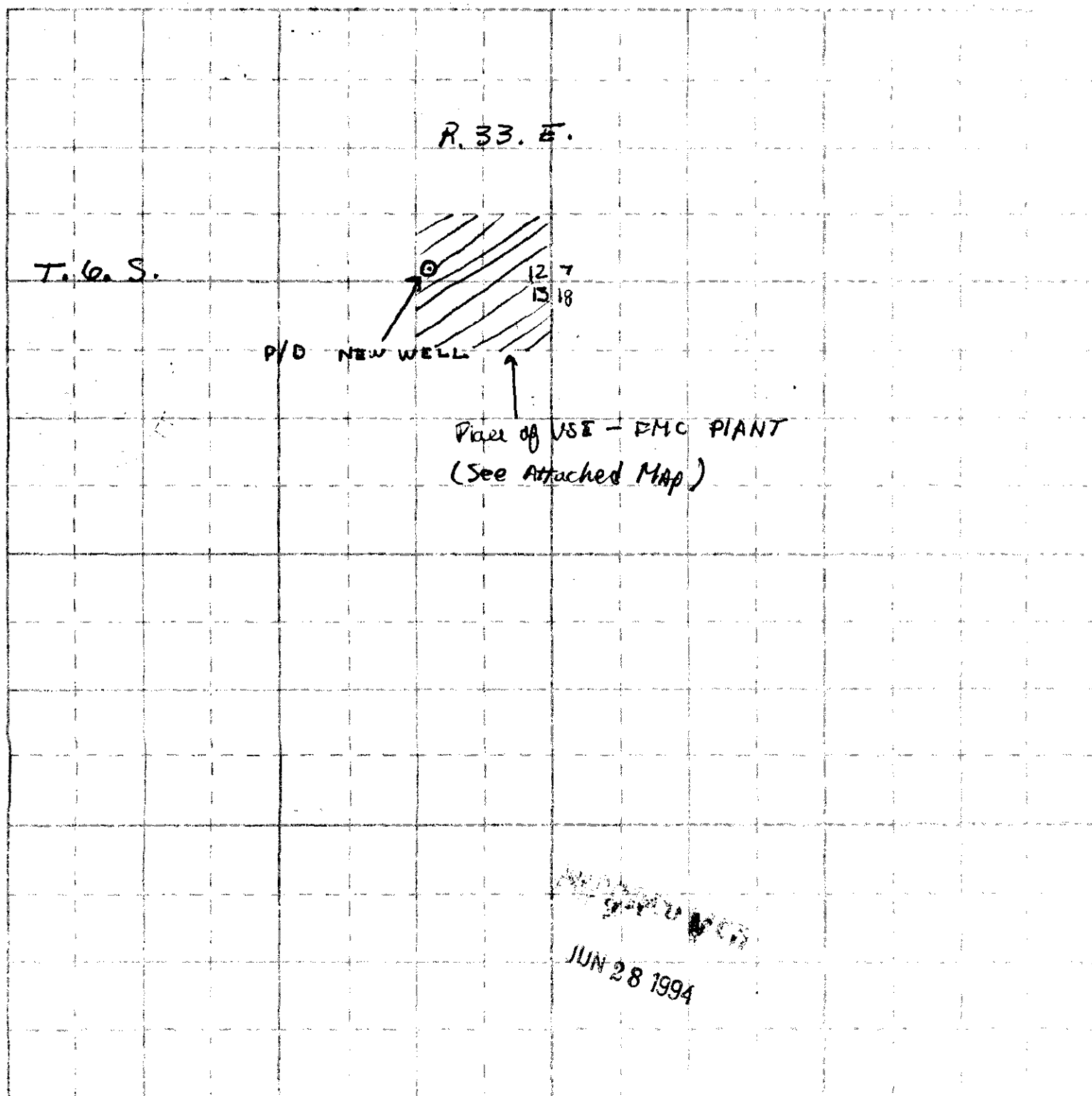
New well
as per inspection
by BMD
3-31-94

JUN 28 1994

SLAG PILE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	<u>NONE</u>	_____	_____	_____ to _____
	_____	_____	_____	_____ to _____

2. Quantity and quality of return flows and location of discharge:
NONE - NO CHANGE

3. Describe effects on other water uses resulting from the proposed change:
NONE - NO CHANGE

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

FMC CORPORATION

By R. L. Mills
R. L. MILLS (Signature of Applicant)
Energy Manager

Subscribed and sworn to before me this 8th day of September, 19 92.

Donald C. Budge
(Notary Public)

My commission expires 10/11/94

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments	
Received by <u>DMD</u> Date <u>9-9-1992</u>	Protest filed by _____
Prelim. check by _____ Fee <u>50.00</u>	
Receipted by <u>DMD EV7837</u> Date <u>9-9-1992</u>	
Published in <u>Lower County Press</u>	Copies of protest forwarded by _____
Pub. dates <u>September 24; October 1, 1992</u>	Hearing held by _____ Date _____
Watermaster recommendation requested on _____	Recommended for ☒ approval ☐ denial
_____ rec'd. _____	by <u>RDC</u>
Copy of transfer sent to lien holder _____	

JUN 28 1994

FMC Corporation

Phosphorus Chemicals Division
Box 4111
Pocatello, Idaho 83202
(208) 236-8200
FAX (208) 236-8396

FMC

July 1, 1991

Mark S. Slifka, Geohydrologist
State of Idaho
Department of Water Resources
1301 N. Orchard St.
Statehouse Mail
Boise, ID 83720

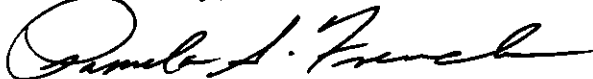
Dear Mark:

I am enclosing two well plugging reports for those wells that were plugged during the 1992 field season.

FMC had committed in their CERCLA Workplan submitted to EPA June 15, 1992 that these two wells would be plugged during the 1992 field season.

If you have questions or concerns regarding the plugging procedures, please feel free to contact me.

Sincerely,



Pamela S. French
Environmental Engineer
Environmental Department

cc: David Croxton EPA Region X
Bill Adams EPA Region X
Brian Hanson
David Heineck
Jim Sieverson

RECEIVED

JUN 28 1994

WELL ABANDONMENT RECORD: WELL TW-3s

Well TW-3s was installed in the spring of 1981 and incorporated as a monitoring well for the FMC Pocatello, Idaho, facility. The well was constructed by installing a 6-inch diameter, perforated steel casing into a drilled borehole to a depth of approximately 100 feet below ground surface. A cement-bentonite bottom plug was installed in the bottom three feet of the well casing (Geraghty and Miller, Inc: July 1982).

Since the well casing is basically perforated from a depth of 97 feet to a foot above ground surface, the well was scheduled by FMC for abandonment during the 1992 field program. Layne Environment Services (LES) was contracted by Bechtel Environmental, Inc., to abandon Well TW-3s in accordance with State of Idaho, Department of Water Resources, rules and regulations for well abandonment.

On May 18, 1992, LES removed a portion of the protective guard post to allow access to the well head. LES mobilized a TH-60 dual-wall air rotary drilling rig equipped with a 5 1/4-inch diameter downhole hammer to assist with well abandonment. Using the drilling rig, the bottom well plug was drilled out to a depth of 105 feet. An unsuccessful attempt was made to pull the well casing out of the ground with the drilling rig. A wash over was then conducted by drilling five 5 1/4-inch diameter pilot holes along the outer casing annulus to depths of approximately 40 feet. Another attempt was conducted to pull the well casing but was again unsuccessful.

A tremie pipe was installed into the well casing to a depth of approximately 100 feet. A cement-bentonite slurry was injected down the tremie to grout the well screen and casing from the bottom of the well to ground surface. As the slurry filled the

RECEIVED
JUN 28 1994

well casing, the tremie pipe was raised in intervals to relieve pressure and allow for an even distribution of grout. At all times, the bottom of the tremie pipe was below the surface of the grout. Once the grout reached ground surface, the tremie pipe was removed from the well casing and installed to a depth of 30 feet in the annulus (pilot hole), and grout was injected into the annulus until it reached ground surface.

The well casing was then cut to a depth of two feet below ground surface and the grout was allowed to set overnight. On the morning of May 19, the grout had settled to a depth of 15 feet. The casing and annulus were filled to ground surface with grout, completing well abandonment. Total materials used was 68 sacks of cement (94 lbs each) and 4 sacks of bentonite (50 lbs each). Grout mixture was approximately one sack of cement per 2.5 lbs of bentonite, per 6.5 gallons of potable water.

JUN 28 1994

WELL ABANDONMENT RECORD: WELL FMC-5

Well FMC-5 was drilled and installed between December 1968 and February 1969 to supplement the water supply, if needed, for the FMC Pocatello, Idaho, facility. Well construction logs supplied by FMC suggested well installation consisted of first installing a 30-inch diameter steel casing to a depth of 48 feet below ground surface. A 20-inch diameter steel casing was then installed inside the first casing, to a depth of 145-1/2 feet below ground surface. The final installation of well casing consisted of 216 feet of 16-inch diameter steel casing with the bottom 116 feet perforated. The bottom of the drilled borehole was suggested to be approximately 220 feet below ground surface, open to Rhyolitic bedrock.

FMC scheduled Well FMC-5 to be abandoned during the spring 1992 field program. Layne Environmental Services (LES) was contracted by Bechtel Environmental, Inc., to abandon Well FMC-5 in accordance with State of Idaho, Department of Water Resources, rules and regulations for well abandonment.

On May 28, 1992, LES mobilized an AP-1000 dual-wall percussion, air-circulation drilling rig to assist well abandonment. A tremie pipe was lowered into the well to a depth of approximately 210 feet below ground surface. During the work period a cement-bentonite slurry, consisting of 330 sacks of cement (94 lbs each) and 33 sacks of bentonite (50 lbs each) was injected into the bottom of the well. The tremie pipe was then removed and the grout mix was allowed to set up over night. On the morning of May 29, the top of the grout was sounded at a depth of 185 feet. To assist with well abandonment, approximately 30 sacks of well plug (50 lbs each, 3/8-inch bentonite chips) were added on top of the grout mix and sounded at a depth up to 168 feet. The tremie pipe was reinstalled into Well FMC-5 and another cement-bentonite slurry, consisting of 35 sacks of cement mixed with 4 sacks of bentonite, was injected into the well. The tremie pipe was removed, grout mixture sounded at 167 feet, and allowed to set up overnight. The next day, 9 yd³ of a sand-cement

JUN 23 1992

mixture was added to the well by free falling from ground surface. The top of the mixture was sounded later that afternoon at a depth of 76 feet below ground surface, which is above the screen, and allowed to set up overnight.

On May 31, well abandonment was completed by tremieing in a mixture of 60 sacks of cement and 6 sacks of bentonite until the slurry reached ground surface. A hole was then cut into the well cap seal, exposing the annulus between the 16-inch and 20-inch diameter casing. This annulus was also filled with grout to ground surface using the tremie method to inject 20 additional sacks of cement and 2 sacks of bentonite to complete well abandonment.

Total amount of materials incorporated to abandon Well FMC-5 included:

- 445 sacks of cement (94 lbs each)
- 45 sacks of bentonite (50 lbs each)
- 30 sacks of well plug (50 lbs each)
- 9 yd³ of sand-cement slurry

April 4, 1994

Randall Budge
PO Box 1391
Pocatello, ID 83204-1391

Mr. Budge:

Enclosed is a revised version of the FMC Corporation's application for transfer that was submitted some time ago. The problem was in the location of the new well (#6) and the existing well (#3). Dennis Dunn of our office was recently on-site with representatives of FMC Corporation and established the correct locations.

The amended application should be reviewed and signed by an FMC Corporation official and returned to me at 900 N Skyline in Idaho Falls.

Sincerely,

Harold W. Jones
Water Resource Supervisor

RECEIVED

JUN 28 1994

25-Sep-1992

FMC CORPORATION
PO BOX 4111
POCATELLO, ID 83202

RE: Application for Transfer of a Water Right No. 29-02301

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your permit for a water right transfer. This office is currently in the process of advertising the application in the Power County Press on October 1 & 8, 1992. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State Office Personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a transfer is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,


Harold W. Jones *rb*
Water Right Supervisor

HWJ:rb

REC-2150

JUN 28 1994

21-Sep-1992

POWER COUNTY PRESS
PO BOX 547
AMERICAN FALLS ID 83211

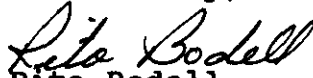
Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

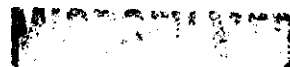
An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before October 12, 1992.

Yours truly,


Rita Bodell
Secretary/Office Coordinator

Encl.



JUN 28 1994

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 8, 1992

RECEIVED

SEP 09 1992

Department of Water Resources
Eastern District Office

Ernest Carlson
Idaho Department of Water Resources
Eastern Region
150 Shoup Avenue, #15
Idaho Falls, Idaho 83401

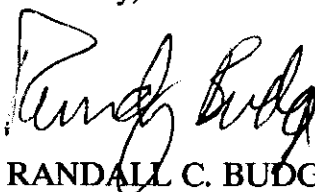
RE: Application for Transfer of Water Right No. 29-02301

Dear Ernest:

Please file and process the enclosed Application for Transfer of Water Right No. 29-02301 we are submitting on behalf of FMC Corporation. Our check for filing fees in the amount of \$50 is also enclosed.

Please contact me if you have any questions or need additional information.

Sincerely,



RANDALL C. BUDGE

RCB:rr

Enclosures

cc: R.L. Mills, Energy Manager (w/encl.)

RECEIVED

JUN 28 1994

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

E017837

Receipt No:

9/ 9/1992
15:14:33

Date:
Time:

Received
From: RACINE NYE COOPER BUDGE

TRANSFER APP Type of Payment 9-02301

63103

Program A cct
229 21 1155

Amount
50.00

Total

\$50.00

CHECK 13110

Region: EASTERN

Signature:

Dennis Sunal

RECEIVED

JUN 28 1994

B. W. DAVIS
ATTORNEY AT LAW
SPAULDING BUILDING, PHONE 232-2773
POCATELLO, IDAHO 83201
20 October 1966

#2.00 received
RECEIVED
OCT 21 1966

Department of Reclamation

Department of Reclamation
State of Idaho
107 State House
Boise, Idaho

Attention: M. Russell Bosch

Re: License 20969 and 22059

Dear Mr. Bosch:

Thanks very much for your letter of October 19, and
you will find my check for \$2.00 enclosed herewith
for which please furnish me with copy of each of the
above captioned licenses.

Very truly yours,

BWD

BWD/n
encl:

22059

JUN 28 1994

October 19, 1966

RE: License 20969 and 22059

D. W. Davis
Attorney at Law
Spaulding Building
Pocatello, Idaho 83201

Dear Mr. Davis:

This is in reply to your letter of October 14, 1966,
regarding three (3) wells in Sections 12 and 13, T 6 S.,
R 33 E., B.M.

We have two recorded water licenses owned by the
Westvaco Division. They are as follows:

20969 - 4911 - for two wells one in Section 12,
and one in Section 13. These wells for manu-
facturing and industrial use and produces 4.5
cubic feet per second or 225 inches.

22059 - 5075 - for one well in Section 13 and
produces 8 cubic feet per second or 400" for
manufacturing and industrial use.

If copies of these licenses are required we can
make them for you and the fee will be \$1.00.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

22059

20969-
22059-
24481-

B. W. DAVIS
ATTORNEY AT LAW
SPAULDING BUILDING, PHONE 232-2773
POCATELLO, IDAHO 83201

14 October 1966

RECEIVED
OCT 17 1966

Department of Reclamation

Carl E. Tappan, State Engineer
Department of Reclamation
Capitol Building
Boise, Idaho

Re: FMC Corporation, formerly
Westvaco Division - Food Machinery and Chemical
Corporation, Pocatello, Idaho

Dear Mr. Tappan:

Will your office please furnish me information concerning
filings by FMC (Food Machinery and Chemical Corp.) on
certain wells for use in the operation of their plant in
Power County.

Our records are not clear but it is the understanding by the
Company that filings were made on wells located in Sections
12 and 13, Township 6 South, Range 33, E.B.M., Power County.

FMC is using and pumping regularly from three wells that
were drilled in the years from '48 to '51.

If filings have not been made is it necessary to make the
same now in view of the fact that the wells have been in
constant use.

Very truly yours,



BWD/n

22059

V

June 20, 1955

RE: Permit No. 22059

Mr. B. W. Davis
317 West Center Street
Pocatello, Idaho

Dear Mr. Davis:

In reply to your letter of June 17th, there is no record in this Department of a filing by Simplot, Inc. from a well in Section 7, Township 6 South, Range 34 East, B.M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

22059
~~22059~~

B. W. DAVIS
ATTORNEY AT LAW
317 WEST CENTER STREET
POCATELLO, IDAHO

June 17, 1955

RECEIVED
JUN 20 1955

Department of Reclamation

State Engineer
Boise, Idaho

Dear Sir:

Food, Machinery & Chemical Corp., operating as Westvaco use water from a well located on their premises near Pocatello, which is then discharged on to the property of Simplot, Inc., located in Section 7, Township 6 South, Range 34, E.B.M., Power County, Idaho.

Westvaco has been advised, by hearsay, that Simplot has made a filing upon this water for certain purposes.

Would you please advise me if any filing has been made and if so may I have a copy of the same, or a general outline, and if there is any expense please advise me and I will remit to you immediately.

Yours, Very truly,



BWD/n
cc: Joe Work

22059
~~20059~~

22059

20949

✓
May 7, 1953

RE: Permit No. 22059

Mr. O. R. Baum
Attorney at Law
Pocatello, Idaho

Dear Mr. Baum:

We have your letter of May 5, 1953, returning Certificate of Completion of Works on Permit No. 22059, with the request that we attach the seal of the department.

As you will note, there is no provision for a seal on this form, although the seal is used on the license, and it has not been considered necessary to affix a seal on the Certificate of Completion of Works.

In reply to your request, we enclose four copies of Form 17.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

22059
~~22059~~

May 5, 1953

RECEIVED
MAY 6 1953
Department of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Attn: Mrs. Jeanne L. Anderson

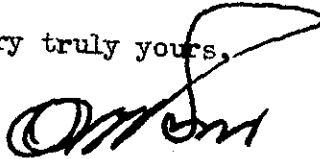
Re: Permit No. 22059

My dear Mrs. Anderson:

I am returning herewith Certificate of Completion of Works, Permit No. 22059, would you kindly attach the seal of the Department?

In reference to Permit No. 20507 - O. A. Power, Mrs. Brown is on her vacation and we appear to have mislaid Form No. 17 - Proof of Application of Water to Beneficial Use - Deposition of Witness, therefore would you kindly rush us four of the same?

Very truly yours,


O. R. BAUM

ORB:tb
Encl.

*Law
Offices
O. R. Baum
Pocatello
Idaho*

22059
~~20059~~

✓
May 4, 1953

RE: Permit No. 22059

Mr. O. R. Baum
Attorney at Law
Pocatello, Idaho

Dear Mr. Baum:

We enclose Certificate of Completion of Works, also License and Certificate of Water Right issued under Permit No. 22059, confirming the right of the Westvaco Chemical Division, Food Machinery & Chemical Corporation, to the use of 4 second feet of water from a well in the NE 1/4 NW 1/4 Section 13, Township 6 South, Range 33 East, B.M., with priority of April 24, 1951, for manufacturing purposes at the plant of said company in Sections 12 and 13, Township 6 South, Range 33 East, B.M.

We also enclose departmental receipt No. 25859 for the \$10.00 license fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

22059
~~25859~~

RECEIVED
APR 29 1953

Department of Reclamation

April 28, 1953

Department of Reclamation,
Boise, Idaho

Attn: Meanne L. Anderson

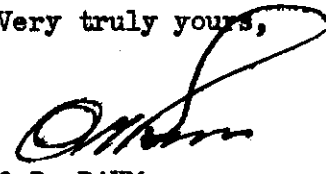
Re: Permit No. 22059 -
Westvaco Chemical Division

Gentlemen:

Thanks for your letter of April 27th. Am enclosing
herewith check for \$5.00 to cover balance of the fee.

LAW
OFFICES
O. R. BAUM
POCATELLO
IDAHO

Very truly yours,


O.R. BAUM

RYB:im
Enc.

22059
~~22059~~

April 27, 1953

Re: Permit No. 22059

Mr. O. R. Baum
Attorney-at-Law
Pocatello, Idaho

Dear Mr. Baum:

We acknowledge receipt of your letter of April 25, 1953 enclosing check for \$5.00 in connection with proofs of Permit No. 22059 of the Westvaco Chemical Division.

Since both proofs of completion of works and beneficial use were made at the same time, the fees referred to in our former letter include \$5.00 for Certificate of Completion of Works and \$5.00 for the license fee, or a total of \$10.00

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By:

Chief Clerk

JLA/veg

22059
22059

April 25, 1953

Mr. Mark R. Kulp
Department of Reclamation
Boise, Idaho

Att: Jeanne L. Anderson, Chief Clerk

Gentlemen:

I enclose herewith check in the sum of \$5.00 covering Well No. 4, permit No. 22059 for Westvaco Chemical Division. I note your letter states "The statutory fees amount to \$5.00 each, or a total of \$10.00", and I assume you are referring to \$5.00 for each well. The original application referred to wells No. 4 and No. 5, however, the proof is only as to Well No. 4. If I am not correct, please advise and I will send in an additional \$5.00.

LAW
OFFICES
O. R. BAUM
POCATELLO
IDAHO

Very truly yours,

O. R. Baum
O. R. BAUM *by RYB*

ORB:RYB

RECEIVED
APR 27 1953
Department of Reclamation

22059
~~22059~~

April 23, 1953

RE: Permit No. 22059

Mr. O. R. Baum
Attorney at Law
Pocatello, Idaho

Dear Mr. Baum:

We now have on file the report of our field engineer on examination for completion of works and beneficial use on Permit No. 22059 of the West-
vase Chemical Division.

Therefore, a Certificate of Completion of Works and License can be issued for 1 second foot of water from the well in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 13, Township 6 South, Range 33 East, B.M. The statutory fees amount to \$5.00 each, or a total of \$10.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

22059
~~20059~~

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 22059

REPORT ON PROOF OF Completion of Works and Beneficial Use

WESTVACO CHEMICAL DIVISION FOOS MACHINERY & CHEMICAL CORPORATION

Box 1608 Pocatello, Idaho

L.efs
me

app. 8 cfs

For Map see
accompanying blueprint.

Q = 4 cfs

T = not taken

22057

~~26057~~

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 22059

This proof is for Completion of Works & Beneficial use In Water District No. _____

1. Name of applicant Westvaco Chemical Division, Food Machinery & Chemical Corporation
Box 608 Pocatello, Idaho (Josiah Work, Resident Manager)
2. Source of water supply: Subterranean from well

3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13
T. 6 S. R. 33 E. County of Power

4. Describe works as they exist, giving dimensions and capacities of same: Pump house = 12' x 8' x 8' h.
gal. iron on steel frame. Half of floor is concreted. Pump and motor on a cone.
base. Approx. 4' x 4' x 16" h. Delivery to E. thru 12" pipe into 8' pipe into closed system.
Peerless deep well turbine #102262. Motor = 150 h.p. U.S. 2300V. 39.4 amps.
1800 r.p.m.

See well log for add. information.

5. Water is used for: Manufacturing and industrial purposes.

6. State whether or not water has been turned into works of diversion: yes.

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Place of use: Plant of the Food Machinery & Chemical Corporation, Westvaco
Chemical Division, in Sections 12 and 13, Twp. 6 South, Range 33 East, B. M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: _____

Originally intended two wells @ 4 cfs each.
At present one is sufficient.

This examination was made on the 16 day of April, 1953

(Signed) E. N. Humphrey Examiner.

22059
20059

Pump bowls. size 12 M.A. with
no. 7
Column d. 150' x 10"
l. —
3' tubing 1 1/8" d. drive shaft
Bowls are down — feet
drawdown - to 115 feet.
10' x 10" suction

Drumel art in Eng.

1200 gpm against 336 feet
at 1760 rpm -

T. not taken - pump
out of commission at present

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

Westvaco Chemical Division
Food Machinery & Chemical Corp.
Pocatello, Idaho
Permit No. 22059

Examination for Completion of works
and Beneficial use

County Power

513 65 338.

P.D. = NE NW & NW NW, 36

Q = 8 cfs. 2 wells.

Use = Industrial

RECEIVED
APR 21 1953
Department of Reclamation

Priority - Apr. 24-51
C/W = May 5/56
BU = "5/62

well - #7.
U.S. Motor 150 hp.
Serial 937545
2300 v. 34.9 a. 60 cy.
1800 rpm.

Peerless #102262

Delivery to E. 10" into an
8" line - check valve.

Concrete block base 4' x 4' x 16"
1/2 house has concrete floor.

Sq. D enclosed panels

angle iron frame 3" x 3" x 1/4"
Size approx 12' x 8' x 8 1/2".
large glass window in N + S.

J. Work. mgy.

March 23, 1953

RE: Permit No. 22059

Mr. O. R. Baum
Attorney at Law
Pocatello, Idaho

Dear Mr. Baum:

We have received from Mr. T. C. Sparks, Notary Public, depositions of the holder and two witnesses, also affidavit of publication in the Power County Press, all submitted in proof of completion of works and beneficial use on the above numbered permit in the name of the Westvaco Chemical Division Food Machinery and Chemical Corporation.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact a representative of the company at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

22059
[Handwritten signature]



Power County Abstract Co., Ltd.

INSURANCE - ABSTRACTS - SURETY BONDS

T. C. SPARKS, MANAGER

AMERICAN FALLS, IDAHO

March 7, 1953

RECEIVED
MAR 18 1953
Department of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Re: Permit No. 22059
Westvaco Chemical Division
Food Machinery and Chemical Corporation

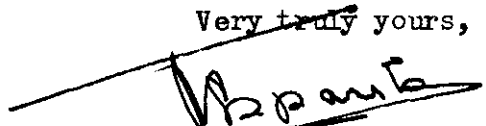
Dear Mr. Kulp:

Subjoined hereto you will find the following:

Proof of Application of Water to Beneficial Use,
one signed by the manager of Food Machinery
and Chemical Corporation,
one signed by Witness Antaki,
one signed by Witness Donald R. Martin,
Certificate as to Proof, as made by myself
as Notary Public (in duplicate),
Affidavit of Publication (in duplicate).

You may advise.

Very truly yours,


T. C. SPARKS

TCS:tb
Encls.

22059
20059



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 22059

Proof of Application of Water to Beneficial Use
and Completion of Works

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Josiah Work, Resident Manager, Food Machinery and Chemical Corporation, Westvaco Chemical Division plant located near Pocatello, Idaho, P. O. Box 1603, Pocatello, Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3 State number and date of permit, and date of priority you propose to establish under the permit.

Ans. 22059, May 5, 1951, Date of Priority May 5, 1951.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Subterranean Waters (Underground) Point of diversion in NE 1/4, Section 13, Township 6 South, Range 33 E.B.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined.

Ans. The Well has a Peerless type well pump and is housed in galvanized steel building. There has been erected 260,000 gallon water standpipe; 2300 feet 3 inch pipe line to standpipe; 2100 feet of 10 inch pipe line to standpipe; 2400 feet 12 inch pipe to standpipe; additional pipe to fire hydrants and numerous plant facilities; 1000 feet of 18 inch pipe line and approximately 4600 feet of open ditch to the point of discharge. The canal has no name. This well (No. 4) is 200 feet deep, with 16 inch casing and depth of water is 62 feet.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Used for industrial purposes. The plant is located upon land in Sections 12 and 13, Township 6 South, Range 33 E.B.M.

Ans. Ques. 2. Acting as Resident Manager Food Machinery and Chemical Corporation, Westvaco Chemical Division, plant located at Pocatello, Idaho, such corporation being organized in the State of Delaware and having complied with the statutory and constitutional provisions of the State of Idaho, the statutory agent being R. Baum, Pocatello, Idaho, and I have been authorized by the company to speak its behalf in this matter.

22059 22059

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. Water is used for industrial purposes and pumped out by electric pumps.

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. 4 cu. ft. per second as regards this well only.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. Party now proving up is the party to whom permit was originally issued.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. _____

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. The water as evidenced by permit No. 20969, and a well located in Lot 9 (SE 1/4 SE 1/4) Section 7, Township 6 South, Range 34 E.B.M., which well water was beginning to be used in the year 1944 of 1 cu. ft. per second.

Joseph W. G. Resident Manager
Westaco Chemical Division
(Sign) Food Machinery + Chemical Corp.

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in American Falls, County of Power, State of Idaho, on this 6th day of March,

A. D. 1953.

Rapant

My commission expires Oct 22, 1955.

Asn. Ques. 10

The drilling of the well got underway and many months was utilized in completing it and it was ready for its first test October 27, 1952, using a Peerless electrically driven deep well turbine pump, at which time 4 cu. ft. per second of water was taken therefrom and it was sometime thereafter before all the electrical apparatus was connected before the well could be utilized by the plant, but the plant has been under further construction and water has been used and will be used in further construction and for operational purposes.

22059

20059

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO**

Permit No. 22059

**Proof of Application of Water to Beneficial Use
and Completion of Work
Deposition of Witness**

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Donald R. Martin, 36, 130 N. Johnson, Pocatello, Civil Engineer

Ques. 2. Are you acquainted with Food Machinery & Chemical Corp., Westvaco, the ^{Chemical Division} holder of Permit No. 22059? How long have you known him and where does he reside?

Ans. Three years as I have been an employee of Bechtel Corporation, which corporation has been during construction work for said company at its Pocatello plant.

Ques. 3. Have you read or heard read said Permit No. 22059, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. The well has a Peerless type well pump and is housed in galvanized steel building, There has been erected 260,000 gallon water standpipe; 2300 feet 8 inch pipe line to standpipe; 2100 feet of 10 inch pipe line to standpipe; 2400 feet 12 inch pipe line to standpipe; additional pipe to fire hydrants and numerous plant facilities; 1000 feet of 18 inch pipe line and approximately 4600 feet of open ditch to the point of discharge.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 10 cu. feet per second

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 1800 gallons per minute. Measured with a calibrated orifice.

22059
22059

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 22059

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. V. N. Antaki, 33, 1072 Cherry Lane, Pocatello, Idaho, Plant Engineer

Ques. 2. Are you acquainted with Food Machinery & Chemical Corp., Westvaco Chemical Division, the holder of Permit No. 22059? How long have you known him and where does he reside?

Ans. 11 years, having been associated with the Westvaco Chemical Division for that period of 1 years.

Ques. 3. Have you read or heard read said Permit No. 22059, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. The well has a Peerless type well pump and is housed in galvanized steel building, There has been erected 260,000 gallon water standpipe; 2300 feet 3 inch pipe line to standpipe; 2100 feet of 10 inch pipe line to standpipe; 2400 feet 12 inch pipe line to standpipe; additional pipe to fire hydrants and numerous plant facilities; 1000 feet of 13 inch pipe line and approximately 4600 feet of open ditch to the point of discharge.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 10 cu. feet per second

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 1800 fallons per minute. Measured with a calibrated orifice.

22059
~~20059~~

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Used for industrial purposes. The plant is located upon lands in Section 12 and 13, Township 6 South, Range 33 E.B.M.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. For Industrial uses

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. _____

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None Plant Engineer for the Pocatello plant.

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I am constantly on the premises and have personal knowledge of the amount of water used and have witnessed the operation of the pumps and the amount of water produced thereby.

(Signed) VM Autaki

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in American Falls, County of Power, State of Idaho, on this 6th day of March, A. D. 19 53.

T. Brown

Notary Public.

Residing at American Falls, Idaho

My commission expires Oct. 22, 1955

32059
20059

STATE OF IDAHO)
 (ss
COUNTY OF POWER)

CERTIFICATION AS TO PROOF
PERMIT NO. 22059

T. C. SPARKS, being first duly sworn, on his oath,
states:

That he is a resident of Power County, State of Idaho, and has been such for more than twenty years last past; that he is now a Notary Public of the state of Idaho and the owner and manager of Power County Abstract Company, and as such maintains his office in American Falls, Idaho, it being the office of his agency for selling insurance and as manager of the Power County Abstract Company; that his office is open every day from 9:00 A.M. until 5:00 P.M. save and except one hour for lunch, namely 12 noon until 1:00 P.M., and that on this day he was personally present and that he was the person before whom notice was given that proof would be submitted, pursuant to the annexed Notice of Proof of Application of Water to Beneficial Use, and that no persons appeared on behalf of said application, other than the affiants who signed Proof of Application of Water to Beneficial Use and Completion of Works, Deposition of Holder, and persons who signed Proof of Application of Water to Beneficial Use, termed Deposition of Witnesses, and that no persons appeared in opposition thereto, and likewise no persons appeared to make inquiry concerning the same, and that there is enclosed herewith the following:

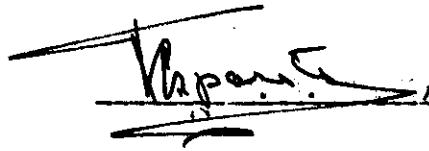
1. Proof of Publication of "Notice of Proof of Application of Water to Beneficial Use" showing its publication thereof;
2. Deposition of V.N. ANTAKI as to "Proof of Application of Water to Beneficial Use and Completion of Works".
3. Deposition of Donald R. Martin, as to "Proof of Application of Water to Beneficial Use and Completion of Works".
4. Deposition of Holder, Food Machinery & Chemical Corporation as to "Proof of Application of Water to Beneficial Use and Completion of Works".

and that said depositions were all executed in my presence at American

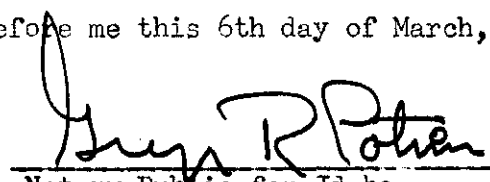
22059
~~22059~~

Falls, County of Power, State of Idaho, and I attached my notarial seal thereto.

I further certify that the proceedings as attached hereto are as certified herein.



SUBSCRIBED AND SWORN to before me this 6th day of March,
1953.



Notary Public for Idaho,
Residing at American Falls, Idaho

(SEAL)

STATE OF IDAHO)
 (
COUNTY OF POWER)

CERTIFICATION AS TO PROOF
PERMIT NO. 22059

T. C. SPARKS, being first duly sworn, on his oath,
states:

That he is a resident of Power County, State of Idaho, and has been such for more than twenty years last past; that he is now a Notary Public of the state of Idaho and the owner and manager of Power County Abstract Company, and as such maintains his office in American Falls, Idaho, it being the office of his agency for selling insurance and as manager of the Power County Abstract Company; that his office is open every day from 9:00 A.M. until 5:00 P.M. save and except one hour for lunch, namely 12 noon until 1:00 P.M., and that on this day he was personally present and that he was the person before whom notice was given that proof would be submitted, pursuant to the annexed Notice of Proof of Application of Water to Beneficial Use, and that no persons appeared on behalf of said application, other than the affiants who signed Proof of Application of Water to Beneficial Use and Completion of Works, Deposition of Holder, and persons who signed Proof of Application of Water to Beneficial Use, termed Deposition of Witnesses, and that no persons appeared in opposition thereto, and likewise no persons appeared to make inquiry concerning the same, and that there is enclosed herewith the following:

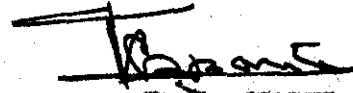
1. Proof of Publication of "Notice of Proof of Application of Water to Beneficial Use" showing its publication thereof;
2. Deposition of V.M. ANIAKI as to "Proof of Application of Water to Beneficial Use and Completion of Works".
3. Deposition of Donald R. Martin, as to "Proof of Application of Water to Beneficial Use and Completion of Works".
4. Deposition of Holder, Food Machinery & Chemical Corporation as to "Proof of Application of Water to Beneficial Use and Completion of Works".

and that said depositions were all executed in my presence at American

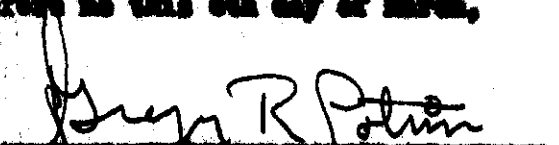
22059
~~22059~~

Falls, County of Power, State of Idaho, and I attached my notarial seal thereto.

I further certify that the proceedings as attached hereto are as certified herein.


T. B. SPANH

SUBSCRIBED AND SWORN to before me this 6th day of March, 1953.


Guy R. Polton
Notary Public for Idaho,
Residing at Mountain Falls, Idaho

(SEAL)

32059
2008

Affidavit of Publication

County of Power, }
State of Idaho, } ss.

F. P. Scott being first duly sworn
on oath, states:

That she is the Chief Clerk of the Power

County Press, a newspaper of general circulation in Power
County, Idaho, published weekly at American Falls in said
county; that said newspaper has been published in said coun-
ty uninterruptedly and continuously for over seventy-eight
consecutive weeks, prior to the first publication of the an-
nexed notice or advertisement:

That the annexed notice or advertisement was published
as per clipping attached in the regular and entire edition of

said newspaper and not in any supplement thereof for 4
successive weekly issues thereof, the date of the first publi-

cation being the 12th day of February, 1953
the date of last publication being the

5th day of March, 1953.

(Signed)

F. P. Scott

Subscribed and sworn to before me this

6th day of March, 1953.

W. J. [Signature]
Notary Public, residing at American Falls,
Idaho.

My Commission expires the

(SEAL)

22 day of October, 1955

22057
20057

Affidavit of Publication

County of Power, }
State of Idaho, } ss.

F. P. Scott being first duly sworn
on oath, states:

That she is the Chief Clerk of the Power

County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls 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 or advertisement was published as per clipping attached in the regular and entire edition of

said newspaper and not in any supplement thereof for 4 successive weekly issues thereof, the date of the first publi-

cation being the 12th day of February, 1953
the date of last publication being the

5th day of March, 1953

(Signed)

F. P. Scott

Subscribed and sworn to before me this

6th day of March, 1953

W. J. [Signature]
Notary Public, residing at American Falls,
Idaho.

My Commission expires the

(SEAL)

22 day of October, 1955

LEGAL PUBLICATION NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11:00 A.M., on the 6th day of March, 1953, at American Falls, County of Power, State of Idaho, before T. C. Sparks, Notary Public of the State of Idaho proof will be submitted of the completion of works for the diversion of 8 cubic feet per second of the waters of subterranean waters (underground) and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 22059 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Westvaco Chemical Division, Food Machinery and Chemical Corporation, Box 1608, Pocatello, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 8 cubic feet per second.

3. The use to which said water has been applied is manufacturing and industrial purposes, and the amount applied to beneficial use is 8 cubic feet per second.

4. The place where said water is used is The plant of the Food Machinery and Chemical Corporation, Westvaco Chemical Division, located in Sections 12 and 13, Township 6 South, Range 33 E.B.M.

5. The date of priority which said user is prepared to establish is April 24, 1951.

MARK R. CULP,
State Reclamation Engineer.
First publication Feb. 12, 1953;
Last publication March 5, 1953.

32059
~~30089~~

Affidavit of Publication

County of Power, }
State of Idaho, } ss.

F. P. Scott

.....being first duly sworn
on oath, states:

That she is the Chief Clerk of the Power

County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls 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 or advertisement was published as per clipping attached in the regular and entire edition of

said newspaper and not in any supplement thereof for 4 successive weekly issues thereof, the date of the first publi-

cation being the 12th day of February, 1953.
the date of last publication being the

5th day of March, 1953.

(Signed) F. P. Scott

Subscribed and sworn to before me this

6th day of March, 1953.

W. B. Banta
Notary Public, residing at American Falls,
Idaho.

My Commission expires the

(SEAL)

22 day of October, 1955.

LEGAL PUBLICATION NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11:00 A.M., on the 6th day of March, 1953, at American Falls, County of Power, State of Idaho, before T. C. Sparks, Notary Public of the State of Idaho proof will be submitted of the completion of works for the diversion of 8 cubic feet per second of the waters of subterranean waters (underground) and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 22059 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Westvaco Chemical Division, Food Machinery and Chemical Corporation, Box 1608, Pocatello, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 8 cubic feet per second.

3. The use to which said water has been applied is manufacturing and industrial purposes, and the amount applied to beneficial use is 8 cubic feet per second.

4. The place where said water is used is The plant of the Food Machinery and Chemical Corporation, Westvaco Chemical Division, located in Sections 12 and 13, Township 6 South, Range 33 E.B.M.

5. The date of priority which said user is prepared to establish is April 24, 1951.

MARK R. CULP,
State Reclamation Engineer.
First publication Feb. 12, 1953;
Last publication March 5, 1953.

22059
22059

22059

Law Offices
O. R. Baum
Pocatello, Idaho

February 10, 1953

RECEIVED
FEB 11 1953
Department of Reclamation

Power County Press
American Falls, Idaho

Gentlemen:

You have received, or will receive, from the Department of Reclamation a Notice of Proof in a water matter, with directions to send statement to Westvaco Chemical Division, Box 1608, Pocatello, Idaho. You should forward those items of cost to this office.

Very truly yours,


O. R. BAUM

ORB:tb
cc: Jeanne L. Anderson
Chief Clerk
Dept. of Reclamation
Boise, Idaho

22059

22059

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: February 7, 1953

Poerr County Press

American Falls, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **March 6, 1953**, the date set for proof, the expense of the publication to be paid by the applicant, **Westvaco Chemical Division, Food Machinery & Chemical Corp.** of **Box 1608, Pocatello, Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By
Chief Clerk

22059
~~22059~~

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11:00 A.M., on the 6th day of March, 19 53, at American Falls, County of Power State of Idaho, before T. C. SPARKS, Notary Public of the State of Idaho proof will be submitted of the completion of works for the diversion of 3 cubic feet per second of the waters of ~~subterranean waters (underground)~~ and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 22059 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Westvaco Chemical Division, Food Machinery and Chemical Corporation, Box 1603, Pocatello, Idaho
2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 3 cubic feet per second.
3. The use to which said water has been applied is manufacturing and industrial purposes, and the amount applied to beneficial use is 3 cubic feet per second.
4. The place where said water is used is The plant of the Food Machinery and Chemical Corporation, Westvaco Chemical Division, located in Sections 12 and 13, Township 6 South, Range 33 E.B.M.
5. The date of priority which said user is prepared to establish is July 6, 1948 ~~April 24, 1951~~

MARK R. KILP

State Reclamation Engineer.

22059
22059-1

✓
February 7, 1953

RE: Permit No. 22059

Mr. O. R. Baum
Attorney at Law
Pocatello, Idaho

Dear Mr. Baum:

We acknowledge receipt of your letter of February 2, 1953, enclosing Forms 36 and 10 for proof on Permit No. 22059 of the Westvaco Chemical Division, and authorization to publish the notice in the Power County Press.

Since both proofs are to be made at the same time, we have completed Form 36 and are sending a copy today to the Power County Press with instructions to publish it once a week for four consecutive weeks prior to March 6, and to send the affidavit of publication together with statement of costs to the Westvaco Chemical Division, Box 1608, Pocatello.

We enclose the necessary forms of deposition to be used in making this proof and at the time set, a representative of the company together with two disinterested witnesses should appear before Mr. T. C. Sparks, Notary Public for the purpose of executing same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

22059
20059

RECEIVED
FEB 7 1953
Department of Reclamation

February 2, 1953

Mr. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Re: Permit No. 22059

Dear Sir:

I enclose herewith the following:

1. Authorization to publish.
2. Notice of Proof application of Water to Beneficial use in duplicate. Form 10
3. Notice of Proof of completion of works and application of water to beneficial use, in duplicate. Form 36.

I do not know which form you want hence I have filled out both and left the date and time blank for you to fill in. Will you please advise which form you use and the date and time for proof to be submitted.

Very truly yours,

O. R. Baum
O. R. BAUM

ORB:RYB
encs.

*Law
Office
O. R. Baum
Bozette
Idaho*

22059
~~22059~~

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) FEBRUARY 3, 1953

(P. O.) Box 1603, Pocatello, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Power County Press of American Falls, Idaho published in
the county in which the works are situated.

Westvaco Chemical Division
Food Machinery and Chemical Corporation

X By Josiah Work
JOSIAH WORK, Resident Manager and Agent

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well-known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

22059
20059

January 12, 1953

RE: Permit No. 22059

Mr. O. R. Baum
Attorney at Law
Pocatello, Idaho

Dear Mr. Baum:

We have your letter of January 8, 1953, requesting blanks for making proof of beneficial use on Permit No. 22059 of the Westvaco Company.

We note that proof of completion of works has not been made on this permit, and we assume that you wish to make both proofs at the same time.

Notice of such proofs should be made on Form 36 enclosed setting time and place and naming the Notary Public before whom the proofs are to be made. Both copies of Form 36 to be returned to this department together with Form 11 which is authorization for us to have the notice published at applicant's expense in the designated county newspaper.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

22059
~~22059~~

RECEIVED
JAN 10 1953
Department of Reclamation

January 8, 1953

Department of Reclamation
Boise, Idaho

Re: Permit No. 22059

Gentlemen:

Will you please forward to this office the necessary blanks
incident to proof of application of water to beneficial use
under the above numbered permit.

Very truly yours,

O. R. Baum

O. R. BAUM

Rey B

ORB:RYB

*Line
Office
O. R. Baum
Pocahontas
Idaho*

*22059
CIR 10 1953
P. 10 1953*

*22059
22059*

May 10, 1951

Re: Permit No. 22059

Mr. O. R. Baum
P. O. Box 570
Pocatello, Idaho

Dear Mr. Baum:

We enclose Permit No. 22059 in the name of the Westvaco Chemical Division, together with Departmental Receipt No. 23300 for the \$6.75 filing fee, and direct attention to the limitations and conditions of this Permit as given on the fourth page under approval of the State Reclamation Engineer.

By this same mail we are sending duplicate copy of this Permit to Mr. J. G. Miller, P. O. Box 1608, Pocatello.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn
Enc.

CC: Mr. J. G. Miller.

22059
~~22059~~

May 9, 1951

RECEIVED
MAY 10 1951
Department of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

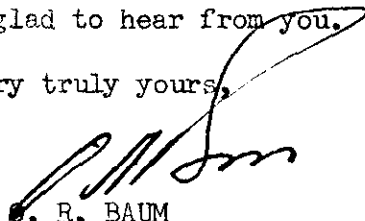
Re: Application for Permit - Food Machinery
& Chemical Corporation, Westvaco
Division, Two Additional Wells

My dear Kulp:

We have never received acknowledgment of our letter forwarding application for two additional wells. This was forwarded prior to May 5th and as I understood over the telephone that the same was being processed and the permit would issue.

I would indeed be glad to hear from you.

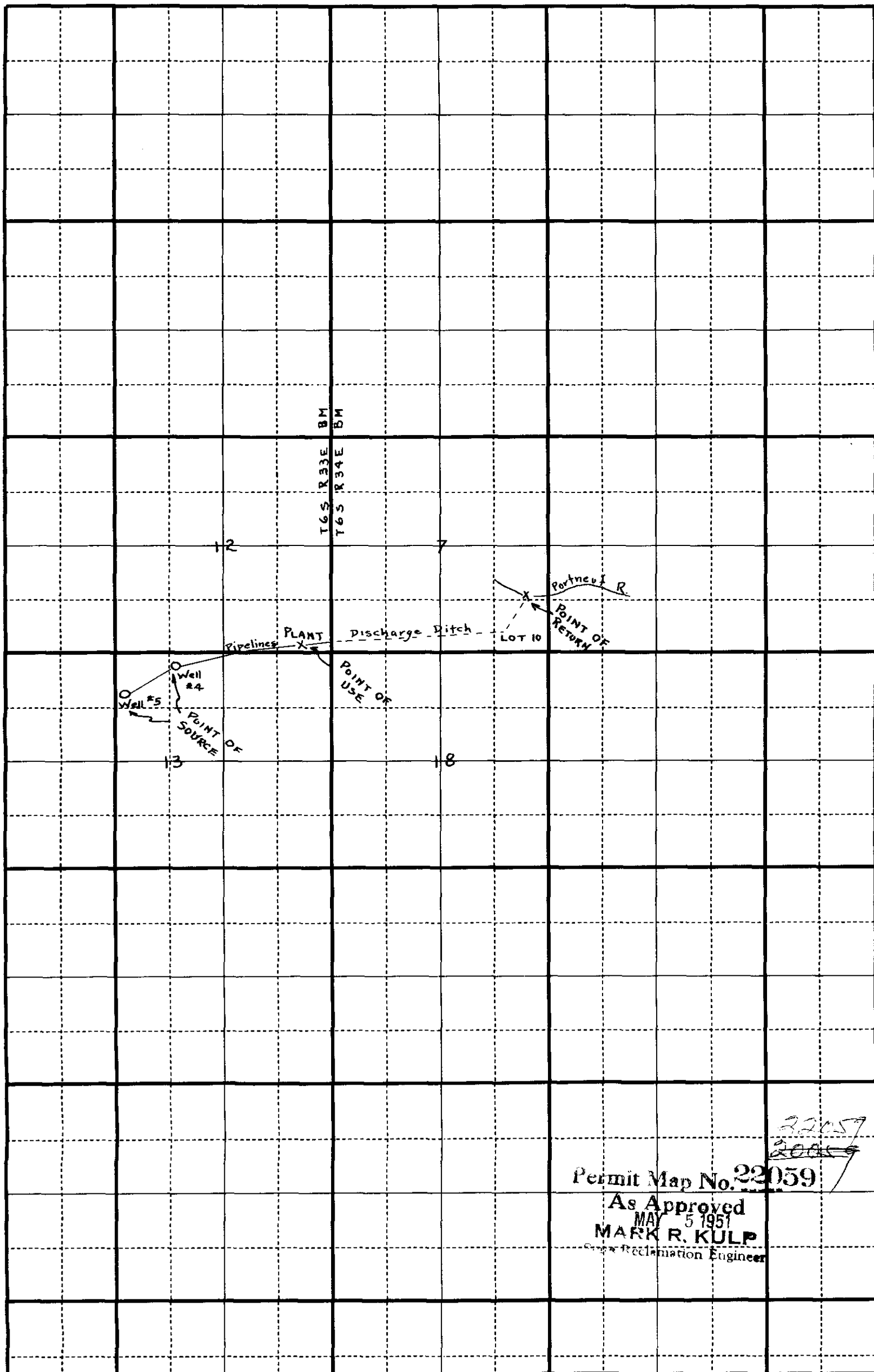
Very truly yours,


C. R. BAUM

ORB:tb

*Law
Office
C. R. Baum
Boise, Idaho*

62157
62157



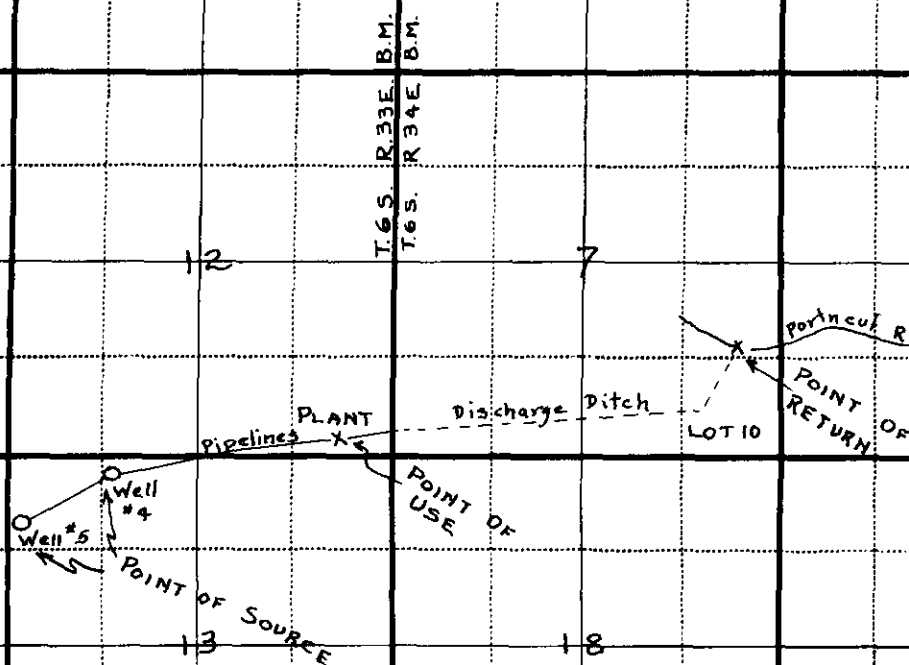
32059
20059
Permit Map No. 22059

As Approved

MAY 5 1951

MARK R. KULP

Civil Reclamation Engineer



Telecommunication Engineer

RECEIVED
APR 24 1951
Law
Department of Reclamation

Mr. Mark R. Kulp, Commissioner
State Land Department
Boise, Idaho

Re: Westvaco Chemical Division

Dear Sir:

Subjoined heretoyou will find application in duplicatek
for permit to file upon waters of two certain wells.

Will you please return the copy to us showing the date
the same was approved.

We enclose check in the sum of \$ 6.75.

Very truly yours,

O. R. Baum
O. R. BAUM *OyB*

ORB:RYB
encs.

*Law
Office
O. R. Baum
Boise, Idaho*

22059

January 18, 1951

Mr. C. R. Baum
Attorney at Law
Pocatello, Idaho

Dear Mr. Baum:

In reply to your letter of January 17, 1951,
we enclose a form of Application for Permit for use by the
Food Machinery & Chemical Corporation.

In this connection, we wish to call your attention
to the fact that we are still holding Notice of Beneficial
Use Proof to be made on their current Permit No. 20969,
awaiting reply to several letters addressed you on this
subject.

Very Truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

22057

January 17, 1951

RECEIVED
JAN 18 1951
Department of Reclamation

Mr. Mark K. Kulp
State Reclamation Engineer
Boise, Idaho

Dear Kulp:

The Food Machinery & Chemical Corporation is drilling another well and they want to make a filling upon it. Will you kindly send the necessary papers?

Very truly yours,

O R Baum
O. R. BAUM *ORB*

ORB:tb

*True
Office
O. R. Baum
Pocatello
Idaho*

28-59

statement of consolidated income

FOR THE YEAR ENDED DECEMBER 31, 1950 (AND DECEMBER 31, 1949)

Food Machinery and Chemical Corporation and subsidiaries

	1950	1949
Sales, less returns, discounts and allowances	\$ 96,744,812	\$81,787,302
Gross revenue from leased machinery and processes	<u>5,143,377</u>	<u>4,556,218</u>
	101,888,189	86,343,520
Cost of sales and direct expenses of leased machinery and processes	\$72,597,360	\$65,904,610
Selling, administrative and general expenses	11,873,083	10,599,085
Depreciation and depletion of property, plant and equipment, and amortization of leased machinery	<u>3,847,116</u>	<u>3,340,283</u>
	88,317,559	79,843,978
	<u>13,570,630</u>	<u>6,499,542</u>
Other income:		
Profit or loss on disposal of capital assets, net	239,930	146,297
Interest on sales contracts, etc., net	456,851	193,817
Miscellaneous, net	<u>570,172</u>	<u>183,025</u>
	1,266,953	523,139
	<u>14,837,583</u>	<u>7,022,681</u>
Interest on debentures	409,483	268,755
	<u>14,428,100</u>	<u>6,753,926</u>
Provision for taxes on income:		
Federal normal and surtax	6,151,360	2,401,030
Federal excess profits tax	500,000	—
Other income taxes	<u>48,640</u>	<u>46,970</u>
	6,700,000	2,448,000
Net income	<u>\$ 7,728,100</u>	<u>\$ 4,305,926</u>

See accompanying notes to financial statements (Page 35)

LIABILITIES

	1950	1949
Current liabilities:		
Accounts payable, trade and other	\$ 7,415,793	\$ 4,202,629
Accrued liabilities	2,224,289	1,749,584
2 1/2% Sinking fund debentures to be redeemed within one year	—	288,000
Federal and Canadian taxes on income	7,042,233	3,116,932
Total current liabilities .	<u>16,682,315</u>	<u>9,357,145</u>
Long-term indebtedness:		
2 1/2% Sinking fund debentures due March 15, 1962 (1951 Sinking fund payment made in 1950)	\$ 7,400,000	\$ 7,700,000
2 3/4% Sinking fund debentures, due August 15, 1969 (initial Sinking fund payment due 1953)	<u>8,000,000</u>	<u>8,000,000</u>
	15,400,000	15,700,000
Reserve for employees' benefits and compensation claims	191,111	198,078
Minority interest in subsidiary:		
Common stock	30	12,952
Surplus	<u>—</u>	<u>44,251</u>
	30	57,203
Capital stock and surplus:		
Cumulative preferred stock, par value \$100 per share:		
Authorized, 246,909 shares		
Issued:		
3 3/4% series, 113,974 shares (note 1)	11,397,400	11,619,900
3 1/4% convertible series, 70,000 shares	<u>7,000,000</u>	<u>7,000,000</u>
Common stock, par value \$10 per share:		
Authorized, 2,822,444 shares		
Issued, 2,112,665 1/2 shares	21,126,655	21,127,495
Capital surplus	1,537,469	1,361,207
Earned surplus (note 2):		
Appropriated as a reserve for contingencies	3,353,186	3,353,186
Unappropriated	<u>33,299,822</u>	<u>28,605,240</u>
	77,714,532	73,067,028
Less cost of 935 shares of common stock held for retirement	<u>32,426</u>	<u>31,349</u>
	<u>\$109,955,562</u>	<u>\$98,348,105</u>

See accompanying notes to financial statements (Page 35).

20059

consolidated balance sheet

AS OF DECEMBER 31, 1950 (AND DECEMBER 31, 1949)

Food Machinery and Chemical Corporation and subsidiaries

ASSETS

1950

1949

Current assets:

Cash in banks and on hand . . .	\$ 12,850,548		\$13,429,595
U. S. Government securities, at cost plus accrued interest . . .	4,869,143		7,043,200
Customers' notes and contracts receivable	\$ 4,228,209		\$ 4,209,104
Customers' accounts receivable .	12,060,451		8,319,932
	<u>16,288,660</u>		<u>12,529,036</u>
Less allowance for doubtful accounts	1,197,758	15,090,902	1,129,856
			11,399,180
U. S. Government claims, con- tracts and accounts receivable	230,417		166,626
Sundry notes, accounts receiv- able and advances	1,241,850		512,411
Recoverable Federal taxes on in- come	—		398,195
Inventories, at lower of cost or replacement market:			
Finished products and parts .	16,638,219		16,011,073
Work in process	3,177,163		2,060,247
Raw materials and supplies .	10,554,916	30,370,298	7,596,571
			25,667,891
Prepaid expenses	1,139,684		823,002
Total current assets . . .	<u>65,792,842</u>		<u>59,440,100</u>

Investments:

Capital stock of affiliated com- panies, at cost	629,790		648,015
Sundry investments	152,576		183,716
Cash surrender value of life in- surance	329,216	1,111,582	300,650
			1,132,381

Property, plant and equipment, at cost:

Land and land improvements . .	1,540,478		1,502,593
Mines	1,002,897		751,386
Buildings	17,996,925		16,265,923
Machinery and equipment . . .	44,750,847		36,293,170
Machinery leased to others . . .	7,853,812		6,711,341
Construction in progress . . .	2,968,554		6,048,869
	<u>76,113,513</u>		<u>67,573,282</u>
Less depreciation, depletion and amortization	33,062,376	43,051,137	29,797,659
			37,775,623

Patents, trademarks and goodwill

	1		1
	<u>\$109,955,562</u>		<u>\$98,348,105</u>

22059
20059

financial statements 🖐

2005

officers and directors

board of directors

JOHN D. CRUMMEY, *Chairman*
FRANK L. BURRELL
BENJAMIN C. CARTER
JOSEPH B. CARY
PAUL L. DAVIES
WILLIAM DE BACK

ROLAND C. FOERSTER
CLARENCE M. FRAZIER
ERNEST HART
MAX Y. SEATON
WILLIAM B. THOM
JASPER W. TULLY

executive committee

PAUL L. DAVIES
FRANK L. BURRELL
BENJAMIN C. CARTER
JOSEPH B. CARY

JOHN D. CRUMMEY
WILLIAM DE BACK
CLARENCE M. FRAZIER

officers

JOHN D. CRUMMEY, *Chairman of the Board*
PAUL L. DAVIES, *President*
JOSEPH B. CARY, *Executive Vice President*
HUBERT L. BYRD, *Vice President*
COURTNEY W. CAMPBELL, *Vice President*
WILLIAM L. CAMPBELL, *Vice President*
BENJAMIN C. CARTER, *Vice President and Controller*
WILLIAM DE BACK, *Vice President*
CLARENCE M. FRAZIER, *Vice President*

JAMES M. HAIT, *Vice President*
ERNEST HART, *Vice President*
VINTON H. MATTHEWS, *Vice President*
EVERETT D. MYERS, *Treasurer and Secretary*
MAX Y. SEATON, *Vice President*
WILLIAM B. THOM, *Vice President*
GERALD F. TWIST, *Vice President*
PAUL C. WILBUR, *Vice President*
CLIFFORD K. WILSON, *Vice President*

registrars of stock

AMERICAN TRUST COMPANY, San Francisco, California
GUARANTY TRUST COMPANY, New York, N. Y.

transfer agents

FOOD MACHINERY AND CHEMICAL CORPORATION, San Jose, California
THE NATIONAL CITY BANK OF NEW YORK, New York, N. Y.

20059

financial history and record
1929-1950 INCLUSIVE

	Net Profit	Preferred Dividends	Common Dividends	Earned Surplus	Common Shares Outstanding	Earnings Per Common Share	Book Value	Common Stockholders	Net Worth	Inventories
	\$ 783,177	\$ 44,765	\$ 181,594	\$ 550,296	164,776	\$4.48	\$20.28	905	\$ 4,103,770	\$ 1,776,277
	826,296	48,750	415,172(c)	912,670	190,076	4.09	23.22	984	5,165,113	2,167,712
	446,597	48,750	321,795(c)	988,722	190,571	2.09	21.91	1,070	4,952,854	2,036,490
	24,794(a)	48,750	47,147	868,030	184,226	.40(a)	20.40	1,118	4,649,517	1,782,484
	52,079	48,750	none	884,935	186,032	.02	20.52	1,084	4,666,422	1,685,669
	485,413	48,750	none	1,323,700	186,946	2.34	22.82	1,153	5,105,187	1,894,934
35	1,025,037	48,750	187,411	2,075,724	189,196	5.16	26.92	1,181	5,925,773	2,099,092
	1,359,985	78,417	382,896	1,992,821	384,396(b)	3.33	15.18	1,312	7,837,261	2,669,269
	1,854,469	102,803	1,351,288	2,371,709	426,633(d)	4.10	18.99	1,971	12,101,060	3,368,353
	840,537	180,000	586,659	2,454,781	426,676	1.55	19.18	2,603	12,184,563	3,027,519
	1,168,409	180,000	586,679	2,754,081	426,676	2.32	19.88	2,645	10,483,862(e)	2,866,882
	1,670,704	90,000	640,014	3,694,771	426,676	3.70	22.09	2,738	11,424,553	2,822,749
	1,913,866	90,000	746,683	4,771,954	426,876	4.27	24.61	2,812	12,501,736	5,364,081
1942	1,924,630(i)	15,250	746,683	5,803,622	426,676	4.48	28.10(n)	2,862	11,991,193(n.f.)	5,606,262
1943	1,972,298(i)	none	746,683	7,029,237	426,676	4.62	32.46(n)	2,799	13,848,646(n)	14,795,497
1944	3,727,987(i)	none	747,636	10,009,588	428,038	8.71	42.32(n)	2,836	18,112,681(n)	38,115,227
	4,497,521	none	834,188	11,123,925	668,810(g)	6.72	42.20(n)	3,159	28,221,417(n)	9,339,710
1945(h)	214,795	none	267,389	11,071,331	668,810	.32	42.12(n)	3,226	28,168,823(n)	12,104,844
1946	4,298,342	none	1,203,367	14,364,325	668,810	6.43	47.72(n)	3,313	31,918,205(n)	25,387,646
	6,164,526	163,676	1,337,504	18,924,708	1,337,620(j)	4.48	27.27(n)	3,377	43,478,588(n.k.)	26,826,790
1948	5,283,377(l)	364,062	2,388,273	27,339,353	2,101,471	3.12(m)	25.16(n)	5,962	71,775,942(n)	31,975,924
1949	4,305,926	668,832	2,371,207(c)	28,605,240	2,111,846	1.72	28.77(n)	6,224	73,035,679(n)	25,667,891
1950	7,728,100	658,350	2,375,168	33,299,822	2,111,730½	3.34	28.07	6,348	77,682,106	30,370,298

(a) Loss.

(b) New stock issued on basis of two shares for each share previously outstanding.

(c) Includes stock dividends of \$139,265 in 1930, \$29,988 in 1931, and \$262,675 in 1949.

(d) Increase over prior year from conversion of preferred stock.

(e) 20,000 shares of preferred stock redeemed as of September 30, 1939, at total cost of \$2,102,430.58.

(f) 20,000 shares of preferred stock redeemed as of November 26, 1941, at a total cost of \$2,061,953.93.

(g) Includes 107,010 shares issued on rights and 133,762 shares distributed to stockholders on the basis of one additional share for each four shares outstanding.

(h) Three-month period ending December 31, 1945, arising from change in accounting period from a fiscal year ending September 30 to a calendar year.

(i) Net profit as shown in annual reports to stockholders has been adjusted to give effect to settlements of Government contracts resulting from renegotiation proceedings completed after close of these years.

(j) 668,810 shares issued on the basis of one additional share for each share previously outstanding.

(k) \$7,000,000 of increase over prior year resulted from issuance of preferred stock.

(l) Includes net profit of Stokes and Smith Company from date of acquisition, September 2, 1948, and of the former Westvaco Chemical Corporation and its subsidiaries from date of merger, September 10, 1948.

(m) Computed on the average number of shares outstanding during 1948.

(n) Net worth and book value per common share have been adjusted to include earned surplus appropriated as a reserve for contingencies at the balance as of each year-end.

**Food
Machinery
and
Chemical
Corporation
and
subsidiaries**